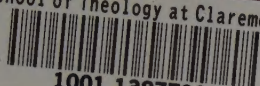


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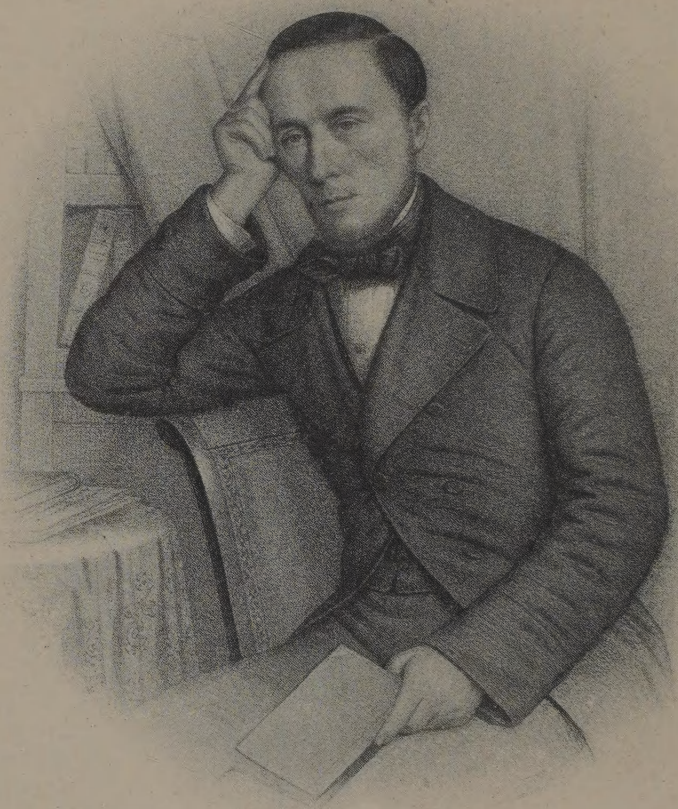
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History of the Origin and Establishment of the Inquisition in Portugal

de Carvalho Araujo

BY

ALEXANDRE HERCULANO

TRANSLATED BY

JOHN C. BRANNER

STANFORD UNIVERSITY, CALIFORNIA

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TRANSLATOR'S PREFACE

Alexandre Herculano de Carvalho e Araujo was born in Lisbon, March 28, 1810. He was of the common people, and, though he did not receive a university education, he acquired the Latin, English, French, and German languages early, and studied diplomacy and paleography in the Torre do Tombo. During the political disturbances in 1831 he left Portugal and went to Rennes, in France, where he devoted himself to historical studies. The following year he went to the Azores Islands and there enlisted in the army of the Queen of Portugal, from which he was honorably discharged in 1833, when he was made assistant to the episcopal librarian at Lisbon. A few months later he was appointed second librarian of the Public Library of the city of Porto, a position he held until September, 1836, when he resigned for political reasons. In 1837 he was made editor of the *Panorama*, a literary publication; and in 1839 he was appointed the King's librarian and entrusted with the organization of the royal libraries of Ajuda and the Necessidades Palace in Lisbon. In 1840 he was elected a deputy from the city of Porto, but he does not appear to have been a productive legislator. In 1844 he was made a member of the Royal Academy of Sciences, and while an active member of that body directed the publication of the *Historical Monuments of Portugal*, and, in the capacity of director, visited many of the libraries and archives of the country, collecting a large number of documents that were brought together in the Torre do Tombo in Lisbon. From 1857 to 1867 he devoted himself to historical studies and writings. In 1867 he withdrew to a small farm in the Valle dos Lobos where he followed agriculture on a small scale during the remainder of his life. He died there September 13, 1877.

His publications include a *History of Portugal* in four octavo volumes; one volume of poems; four volumes of romances; two volumes of short stories; one volume on civil marriage; eight volumes of miscellaneous papers on public, economic, and educational questions; and three volumes of the *History of the Origin and Establishment of the Inquisition in Portugal*.

His life was that of a student, and the last ten years were spent in modest retirement. He is generally recognized as the ablest and best equipped of the Portuguese writers upon history. His most important work is his *History of Portugal*. That work, however, brings the history of the country only to the end of the reign of Affonso III in 1279, and consequently does not cover the period of the establishment of the Inquisition.

Herculano's historical work of second importance is his *Historia da Origem e Estabelecimento da Inquisição em Portugal*, the one here translated. The first edition was published at Lisbon in 1852; the seventh in 1907. It has always been published in the form of three duodecimo volumes, each divided into "books" which are numbered consecutively from I to X. In the original, each "book" is preceded by a brief synopsis of its contents. It seems best to issue the translation as a single volume, and to call the subdivisions chapters. The editions used for the translation are the second and the seventh.

Whether this work is impartial history is a matter with which the translator has nothing to do; if such a question exists or should ever arise, it is one for historians to judge and to deal with. Dr. Henry Charles Lea, whose *History of the Inquisition in Spain* made him the leading authority on that subject, quoted Herculano's book as authoritative, and spoke of it as a classical work on the subject. Judging from the brief outline of Herculano's life, he must have been in a position to appreciate the value of historical documents. It seems highly improbable, however, that such a work would have gone unchallenged if it were seriously misleading or defective. Should questions ever arise, the documents cited and quoted throughout in support of the author's statements are still open to students of history. The translator, however, assumes no responsibility for either the facts or the opinions of the author. The sole aim has been to make a faithful translation of the book, taking only such liberties as seem necessary to make clear the author's meaning.

Many references to sums of money make it desirable to have an idea of the values of the coins mentioned. The author clears up the matter in the footnote at page 626 (Original, Vol. III, p. 319) by comparing the price of wheat in 1545 with the price about 1850. He shows that the value of silver at the time he wrote was as six to one, and of gold somewhat less, meaning that the silver *cruzado* of 1545 was worth six *cruzados* in 1850, and that the gold *escudo* of 1545 was worth somewhat less than six *escudos* of 1850. In 1850, therefore, the values of the Portuguese coins mentioned would have been about as follows:

	Nominal value in 1545		Nominal value in 1850
<i>Cruzado velho</i> of gold	.400 reis	× 5.5 say	2\$200
<i>Cruzado novo</i> of silver	.480	× 6.6 say	2\$880
<i>Escudo</i> , gold	1\$600	× 5.5 say	8\$800
<i>Dobra</i> , or gold doubloon	12\$800 (later 17\$000)	× 5.5 say	70\$400
<i>Ducado</i> , or ducat, was a foreign coin and varied in value with the time and country.			

An approximate idea of the value of the Portuguese milreis (or 1\$000) in American dollars and cents may be had by dropping the last figure on the right, and placing the decimal point two figures to the left. Thus \$500 reis

becomes 50 cents, 1\$600 becomes \$1.60. Of course this method is not available when commercial precision is required.

The rendering of the proper names in the translation has required attention. The author himself evidently gave this matter little or no thought, for some of the names are in the original, while most of them are given their Portuguese form. Thus the Italian names Luigi, Giovanni, and Girolamo are given by him as Luiz, João, and Jeronymo. Assuming that one's name is his name in his mother tongue, and without making any very nice discriminations, it has seemed best to use in the translation the original names of the persons referred to. When they are Portuguese, therefore, the Portuguese names are used, when they are Italian the Italian names are used, and when they are Spanish the Spanish names are used. A few exceptions have been made, however, in the cases of persons whose names are well established in English works, such as Charles V and Clement III. The Spanish name Alfonso is Affonso in Portuguese, and though the difference is slight, it exists. The Portuguese King Dom João III is spoken of by his own name by Dr. Henry Charles Lea, and this usage has been adhered to in spite of the fact that it might have been somewhat easier to call him King John. Dom João is what he was called at home. The names of Fernando and Isabel are now quite as well established as Ferdinand and Isabella—names given them by English writers. It seems to be impossible entirely to avoid inconsistencies in the adjustment of the proper names, but it is hoped that extremes have been avoided.

Names of places have been left in their original forms, except in the case of Lisbon, which is called Lisboa by the Portuguese.

An outline map of Portugal and of southwestern Spain is inserted for the purpose of enabling readers more readily to locate places mentioned in the text. The map contains little more than the names of the places in Portugal that are mentioned in the text.

In revising the translation I had the cordial help of Professor Edward M. Hulme, then of the University of Idaho, now of Stanford. Professor Hulme kindly read the entire work, and has not only prevented errors in the translation of technical terms, but he has enabled me to escape much of that rigidity into which translations are likely to fall, and which could not have been avoided without his able and sympathetic co-operation.

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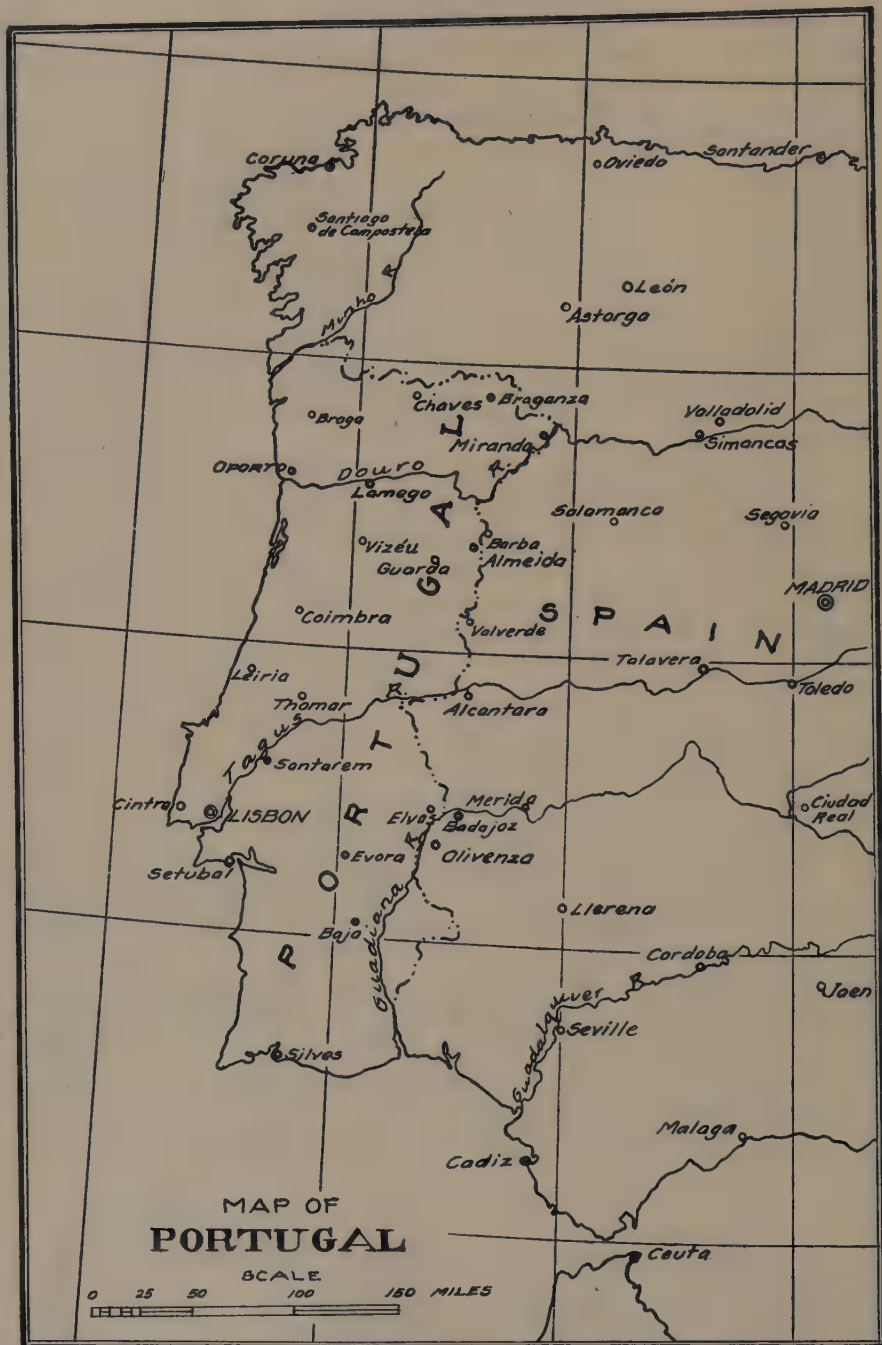


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PREFACE

Only a few years ago certain men and certain schools of thought, confounding the ideas of liberty and progress with those of license and excess, law with oppression, and property, the inviolable issue of toil, with spoliation and robbery, and adopting the dissolution of the social order as their system of reform, filled the middle class (the most powerful of all the classes of which modern society is composed, and the only one that is really and truly powerful) with terror and alarm by the insane projects they put forward. This mistake on the part of many men otherwise of eminent ability, who, to some extent, had good reason to criticize many of the institutions enjoyed by free countries as faulty or incomplete, paved the way and furnished pretexts for a deplorable reaction throughout Europe. It was a serious state of affairs, not so much on account of its violence, its exaggeration, and its materialistic character, as because of the moral reaction that followed these outward manifestations. Therein lay the danger that threatened the future.

Tyranny, once more lifting its head over almost the whole of the continent of Europe, trampling representative government beneath the feet of its battalions of infantry and its squadrons of cavalry, passing in triumph along crowded streets, and enthroned on the time-honored and battered shield of absolutism raised aloft on a forest of bayonets, is a repulsive sight, but one that is profitable to human progress, as almost all historical phenomena have been, even those which were apparently most contrary to that progress. It makes a lot of noise in the world, and it gets things done, though it is as transitory as the standing armies brought into existence by absolutism for its own purposes, and with which it ought long ago to have passed into the realms of tradition. The crimes which the reaction is perpetrating, and the blood it has shed, will prove morally and economically a very reasonable price to pay for an issue of the most vital importance—the annihilation of that brute force which is nominally charged with the fulfilment of a duty that devolves, and always must devolve, on all citizens alike, namely the defense of their native land. The more this reaction abuses its power, the sooner will come the day of its final disenchantment, and the peoples of the world, taught by their own bitter experience, will finally sever the last artery that still makes beat the heart of a desperate and dying tyranny.

But the moral reaction that accompanies the material reaction calls for more serious attention on the part of the sincere and prudent friends of civilization and liberty. Besides the cheers of the intoxicated soldiery,

audible in the neighborhood of their barracks and camps, in which almost all the political activity of society is now concentrated, one hears also the applause of a certain part of the populace. This applause comes from no single group. There are the common people doing what they always have done, saluting the conqueror, without asking whence he has come or whither he is going, shouting derision at the foot of the scaffold where a martyr is dying that they may live, or acclaiming tyranny as it passes on its way surrounded by a pomp that dazzles their eyes. There are the ancient interests which have been mortally wounded, and which, unable to defend themselves as legitimate, have hitherto sought to surround themselves with the poetical halo of the past, hiding their ugly wrinkles in the dim light of the apse of the ancient cathedral, but which nowadays are coming out into the open in the name of law and justice with the cries of fury and menace. There is hypocrisy which, after working for years beneath the ground, at last emerges into the light of day, and, waving the thurible, burns incense before the abusers of power, declaring them to be the saviors of religion, as if religion needed to be saved, or as if it were in human power to destroy it. All these elements contribute to the din and clamor. They dance around the gates of the praetorian camp, and translate the sound of the orgies that are going on inside into announcements of peace and prosperity. The mob expects from the ruling power the realization of its hatred of the middle classes and the satisfaction of its envy; vested interests dream of the possibility of indemnity; and hypocrites are eager to seize the opportunity of winning over the populace to the side of fanaticism, and to that end they have recourse to a method that has been unfailing in all ages, the intentional inculcation of the most incredible forms of superstition. Absurd miracles are furbished up anew and repeated again and again before the eyes of the new recruits; the convent and *casa professa** vie with the barracks for the privilege of training the rising generation. The tonsured monk and the mustached soldier play for the future on top of a drum set up on the altar. The soldier's blasphemy mingles with the anthem from the breviary. The holy water, sprinkled with the episcopal hyssop, mingles with the clotted blood of men whom the muskets have shot, and the priest supposes he has stifled the outcry of that blood which is soaking the earth, because he has raised sacrilegious hosannas over the triumph of the executioners at the very moment when the victims were falling martyrs to their faith in civilization and in liberty.

This is a serious matter, for it is atrocious; but there is something more serious still. Among the groups which acclaim the saturnalia of reaction throughout almost the whole of Europe, there is one that is stronger, more active, and above all more effective than any of the others, because it is, in

* A *casa professa* is a convent occupied by persons professing religion.—Tr.

many cases, in possession of political power, and makes use of that power, of the soldiery, of the magistrates, and of other public agents at its command, to annul in a single day the guarantees whose acquisition by the nations required half a century of terrible struggles. It is the group that is branded with the mark of Cain. It consists of those who, sooner or later, must hear the question put to them by God and man alike: "What have you done with your brothers?" It is the group of those who owe all they are and all they have to the triumphs of liberty. It is the group of men who, had it not been for the struggles in their behalf in parliaments and in the press, without the inspiration of all progressive minds in the political arena, would have been trampled under foot by a despotic bureaucracy, an arrogant nobility, and a wealthy and corrupt clergy, and would have had to limit the horizon of their ambitions to the position of stewards or attorneys of some degenerate and rickety descendent of Bayard or of the Cid, or would have been obliged to wear the choirboy's cassock in the service of some wealthy cathedral. Such men as these, who have exchanged the whitewashed hovel for the resplendent palace, the plebeian name of their fathers for titles of nobility, the patched shoes and modest dress of the common man for the broadcloth and satin of the court, bedizened with beads and spangles and the trappings with which power is wont to mark its flock of hirelings—such men as these, lolling on sofas to which they came from leather-covered stools and pine chairs, have had their heads turned by the din of elections, by discussion in the press, and by the stormy, and not infrequently sterile, debates of political assemblies. Too well-fed, they have lost the clarity of their intelligence in the heady atmosphere of the banqueting hall. Over-pampered, and reclining on the soft cushions of their carriages they have lost the laborious energy of the class whence they sprang. The long and painful experiences of liberty seem to them now a mere delirium of the human race, and the attempts of the nations to attain some less imperfect form of organization are to them no more than a series of deplorable mistakes. They acknowledge the indisputable progress of the sciences, arts, and industries, despite a thousand failures, despite the countless theories that spring up only to die, and despite innumerable wasted efforts. That is to say, they confess that there is such a thing as social evolution, though it is everywhere limited by earthly imperfection. They make no formal protest against the general tendencies of society. What they do not admit is that this law of constant evolution, applicable to all human affairs, is also applicable to social science. They would have us believe that social progress consists in retrogression; that the voice of conscience, which tells us of the dignity and freedom of man, is an illusion of our minds. Christianity took five centuries to form modern society; yet we are told that society ought to have completed and perfected a fundamental revolution in its organization in less than fifty years. It has not done so. And the conclusion drawn

from this failure is that we must therefore return at once to the past, to a morbid and impotent absolutism, if we would have political progress. These men are overwhelmed with remorse. They imagine they see the ghost of Attila hovering on the northeastern horizon. They kneel before it, and disowning the ideas they have promulgated, try to save their carriages, mitres, wands of office, bits of ribbon, emoluments, and dignities. They are a sad lot.

Alongside of this group of contemptible panjandrums, and at times indistinguishable from them, because both classes overlap and speak the same tongue, we find the timid bourgeoisie, whose nerves are too weak to withstand the frequent shocks of political disturbances. These men may be excused, although they reason amiss, as men ever do when seized with panic. Their life as artisans, merchants, manufacturers, landowners, and farmers gives them no taste for violent political storms and disorderly popular movements. They are pleased with and welcome the slow and peaceable development that results from the triumph of doctrines by means of lengthy discussions. In this they are right. The idea of political earthquakes fills them with as much horror as that of physical earthquakes. And in this, too, they are right. It is in regard to the means of avoiding such evils that they have deceived themselves. Fear is the worst of counselors. It was against this very class that the agitators stirred up the ignorant masses, declaring war not only upon the abuses of property in the widest sense of the word, but also upon property that is incontestably legitimate.

The terrified bourgeoisie began to think that liberty meant spoliation, and for the most part made their peace with absolutism, forgetting that it likewise represented spoliation and the violence and tyranny of centuries; forgetting, too, that all the insults and injuries which absolutism had to avenge had been suffered by it at the hands of the middle class. Reasoning inspired by fear went, as might have been expected, to the opposite extreme. Deliberately returning to methods already tried and found wanting in bygone ages, the members of the bourgeoisie, who have neither the discretion nor the courage to face the aberrations of progress, aberrations that are never lacking in periods of great transformations, are false to the destinies of their class, and call down curses upon the sacred work of civilization, the traditions of their fathers, the purposes of Christianity, and the very acts of their own previous public lives. They forget that, if it were possible for us to go back, and to bow down to tyranny, it would be only to rebel against it once more, and thus uselessly to repeat the experiences we have already passed through. The remedy for the exaggerated ideas of the hot-headed and the irresponsible, and the designs of pretended champions of liberty, does not lie in reactions that are morally impossible. The conflagration that threatened for some months to destroy Europe, and which still smoulders beneath the ashes, cannot be quenched with blood, nor by placing on the top

of them the putrid corpse of absolutism. To extinguish it there is need of organized and energetic resistance, and of sound and practical ideas. The middle class must not forget or so often disdain the fulfilment of its duties. That is to say, it must remember that the middle class man plays a twofold part in life, as a citizen and as a man, as a member of the state and as a private individual; that, just as the bad head of a family forfeits his honor, so is he equally without honor who disdains the public functions which it is his duty to perform for the preservation of liberty. If such men did not permit the feather-brained and false-hearted to make the nations of the world the raw material of their political experiments, or the prey of their unbridled ambitions, they would have no need to hanker after a life among the bones of ages dead and gone; they would not have to be like the sick man, who, in order to gratify all his appetites, disregards the rigid rules of medicine, and at last, when he sinks beneath the weight of his infirmities, declares that science is impotent, and appeals to charlatans and quacks for remedies they cannot give.

Fortunately amid the madness inspired by terror many men of valiant soul and enlightened intellect have succeeded in keeping their heads and not losing their common sense. Though we are a small nation, and though we are still disregarded by Europe, owing to the idea it entertains of us in view of a not very remote past, we have in this respect afforded to some of the greater nations more than one example of lofty wisdom. Contemporaneous history will prove that this is so. The country may believe us, for we are not in the habit of flattering its puerile vanity or its senseless prejudices. We have always, without fear or favor, told it what we believe to be the truth. In the midst of our moral misfortunes, and they are neither small nor few, the liberal minority that has betrayed its doctrines is, in more than one respect, insignificant. Be the position of these individuals in the official hierarchy what it may, neither their prestige nor their talents render them very formidable. Among sincere men there is only a moderate degree of fear; and the danger of the imminent earthquake did not greatly alarm men's minds in Portugal. The few who feign fear in this country, the still fewer who pretend to welcome the tempest, are, as a rule, in our opinion, merely acting ridiculous farces.

Yet, now that civilization is making the mutual intercourse of nations more and more intimate, it necessarily causes the ideas of one to influence those of others, and the common run of men are more disposed to accept the ideas of others than to reflect and reason for themselves. Within certain limits and up to a certain point, the general reaction has its representatives among us. It must be combated, not to convince those who have always loved the past and have never compromised with their beliefs, because they are men whom we respect, but in order to confirm in the liberal faith the lukewarm in our own camp and to put them on their guard against

the wiles of the turncoats. This is not our view alone; it is the view of all loyal men, of all the sincere friends of a reasonable liberty.

Being led by our literary propensities toward historical studies, it was especially in this direction that we were able to serve a cause to which we are closely attached, by putting on record one of the most celebrated events and periods in the history of our native land; an event and a period in which tyranny, fanaticism, hypocrisy, and corruption appear before us in all their natural hideousness. When every day there are thrown in our faces the extravagances of modern revolutions, the excesses of irritated people, the crimes of a few fanatics, and, if you like, of a few hypocrites who proclaim new ideas, surely we may be permitted to summon the past to the bar of judgment, in order to see whither the tendencies of reaction may once more carry us, and to ascertain whether ultramontane and hyper-monarchistic opinions will be able to give us any guarantees of order, peace, and happiness, should we again renounce the rights of free men and the doctrines of tolerance which the gospel preaches and which God has engraved in our souls.

We might have written a history of the Inquisition, that drama of crimes that drew itself out for more than two hundred years. The archives of that terrible tribunal have come down to us almost intact. The records of nearly forty thousand trials still exist to bear witness to ghastly scenes, to unparalleled atrocities, and to prolonged agonies. We decided not to do so. It would have been more monotonous than instructive. The struggle that lasted for twenty years between Dom João III and his subjects of the Hebrew race, he trying to establish the Inquisition as a permanent institution, and they to prevent him, offers abundant matter for serious reflection. We shall there make the acquaintance of the court of an absolute king at a time when unlimited monarchy existed in all its vigor and brilliance; we shall make the acquaintance of the court of Rome at a juncture when, confessing its former errors, it ought to have entered upon the path of self-reformation; and we shall be able to compare all these things with the modern days of liberty. The documents we have made use of are, for the most part, drawn up by the very men who took part in those varied intrigues, and they are largely the originals themselves. Providence has preserved them to be the avengers of many crimes, and we perhaps, though we imagine we are acting spontaneously, are little more than the instruments of divine justice.

We ask those who, hearing and reading the declamations uttered against the legitimate tendencies of modern civilization, are wavering in their belief in political liberty and religious tolerance, to seek in their own consciences, after they have read this book, for the solution of a problem with which we shall conclude, and which contains the final result and the practical application of the present historical work. The reply their conscience gives them

will serve them as a guide in the midst of uncertainties, and as a comfort in the face of the discouragements wherewith the reactionary school is trying to stifle the noblest and purest instincts of the human heart.

The problem is this: If in the beginning of the sixteenth century, when religious opinions, as is generally believed, were still sincere and fervent, and absolutism was apparently in all its youthful vigor, we find by irrefragable documentary evidence that the persons who held the highest positions in the ecclesiastical hierarchy were, in great part, nothing but hypocrites who made religion an instrument for the gratification of ignoble passions; if we find that fanaticism was rarer than is supposed; if we find that, under the unlimited monarchy of that time, society, morally and economically rotten, was on the high road to dissolution; and if we find the actions of the government on every occasion wanting in good faith, sound judgment, justice and honesty; if we find all this to be so, are we peradventure to believe in the sincerity of the innumerable apostles of the theocratic and ultra-monarchical reaction who are suddenly coming forward in this age of ours, after a hundred and fifty years of religious and political discussion, in which the ancient doctrines have been victoriously combated, the received principles refuted, or at least called into question, and more than one truth obscured by subtle sophisms? Are we to suppose that this exaggerated enthusiasm for the disciplinary ideas of Gregory VII, or for the political system of Louis XI or Philip II, springs from conviction in an age when, by the unanimous admission of the apostles of the past themselves, the taint of skepticism is generally predominant among cultured men?

Let the reader seek the answer to these questions in his own heart, and then decide between reaction and liberty.

DECEMBER 1852

CHAPTER I

THE INQUISITION IN EUROPE UP TO THE EXPULSION OF THE JEWS FROM SPAIN IN 1492

During the first twelve centuries of the Church's existence it fell exclusively to the bishops to watch over the purity of the religious doctrines of the faithful. This was for them at once a duty and a privilege that resulted from the character of their ministry. No one, therefore, could interfere in this important department of the pastoral office without doing violence to the authority of the episcopate. This was the doctrine and the practice of the good times of the Church. A special tribunal, extraneous to the ecclesiastical hierarchy, charged with finding and condemning heresies would have been, in the early centuries, an institution at once intolerable and morally impossible. And yet such a tribunal, if it had existed anywhere at that time, would have been in essence none other than that terrible institution which, monstrous in its origin, outrageous in its formulas, and atrocious in its proceedings, sprang up in the very heart of the Catholic Church in the thirteenth century, and which, under the name of the Inquisition, or the Holy Office, overwhelmed almost every country in southern Europe with terror, strife, and blood, and even crossed the seas to oppress vast regions in America and in the Orient.

As may easily be supposed, this fatal institution came into existence weak, and only slowly and gradually developed its full strength. Had it been created suddenly, even with far fewer powers than those it subsequently acquired, it would have been done to death in its cradle by the opposition of the episcopate. It is a well-known fact that already before the thirteenth century commissions called "synods," which formed a kind of tribunal dependent upon the bishops in the different districts of each diocese, were responsible for the prosecution of heretics. These commissions, however, after pronouncing heretics to be such and having them excommunicated, left the rest to the action of the civil authorities. There are, as a matter of fact, cases on record in which the secular judge condemned heretics to death, although no regulation of the Church or of the Roman law imposed upon them any penalty greater than the confiscation of their property. But in spite of the fanaticism which inspired such acts of cruelty, the method of procedure against delinquents of this kind bore no analogy to that which was afterward adopted by the Inquisition. No special judges were appointed to investigate and sift the facts; the ordinary tribunals served that

purpose. The accused was present at the trial; he was informed of all the charges brought against him, and thus he was greatly aided in conducting his defense, for nothing was concealed from him. This was altogether different from the subsequent practice; and, even so, it may be said that the Church, to a certain extent, was not responsible for the infliction of bodily punishments and for the bloodshed which characterized religious intolerance more than once previous to the thirteenth century.

And herein the Church showed respect for the primitive traditions of Christianity. In the early centuries the bishops and other prelates were inexorable in removing the dissidents from the body of the faithful, but in doing this they went no further than to certify to the existence of a fact, or, at most, they reported what they had done to the secular authorities. Some deemed even this to display a lack of charity, and for that reason they never divulged to the public officials the sentences of excommunication which they passed upon heretics. There is no doubt, however, that others believed that temporal penalties would have a beneficial effect in preventing the progress of heresy, and for that reason they encouraged the magistrates to carry out the imperial laws against dissidents. Those laws, as we have said, were not excessively severe, and if there are some examples of the imposition of the extreme penalty upon the heads of heretical sects, intolerance, being ashamed to condemn them for their religious doctrines, stigmatized them as promoters of sedition. In such cases the ecclesiastics refrained from appearing in court, and they made sincere efforts to save the defendants. The evangelical spirit was so lively in some of them that the great Saint Ambrose, and also Saint Martin, looked upon the bishops Itacius and Idacius as excommunicate, because certain Priscillianists whom they had accused, and upon whose punishment they had insisted, before the Emperors Gratian and Maximus, had been condemned to death. Saint Augustine, writing to Donatus, Proconsul of Africa, told him in the most positive terms that if he continued to punish the Donatists with death the bishops would stop reporting them, with the result that they would enjoy impunity, and that, if he wished the laws enforced, he must show moderation and indulgence in such matters. Religious tolerance, even in modern times, has never been expressed more nobly or more philosophically than by Salvianus, called the Master of Bishops, who earned so many eulogies from Saint Eucherius and other Fathers of the early Church. "They are heretics," he said, speaking of the Arians, "but they do not know it. Though heretics with us, they are not heretics among themselves; for while we look upon them as heretics, they regard themselves as truly Catholic. We are in their eyes what they are in ours. . . . We have the truth on our side; but they think it is on theirs. We believe that we are giving glory to God; they think they are doing the same. They do not fulfil their duty, but so far are they from suspecting it, that they are convinced they are serving the

cause of religion. Impious though they are, they are persuaded that they are following true piety. They are mistaken; but they err in good faith and from love of God, not because they hate him. Aliens to the true faith, they sincerely follow their own, and only the supreme judge can know what will be the punishment for their errors." In the days of the Inquisition the Master of Bishops would have perished at the stake if he had written these admirable phrases in which a legitimate intolerance in matters of doctrine is judiciously blended with actual tolerance in practice.

From the fall of the Roman Empire down to the close of the eleventh century heresies and heretics were rare, and in dealing with such as there were the Church limited herself to spiritual punishments, for which penance was sometimes substituted, corresponding to the fines imposed for civil offenses. If forcible suppression was considered appropriate, it continued to be regulated by the civil law and carried out by the civil magistrates. The twelfth century saw a great many religious discords spring up. Various causes brought this about, the chief ones being the struggle between the emperors and the popes, a struggle that sprang from the unbounded ambition of some of the popes, and the state of extreme moral corruption into which the clergy had fallen. And so for these reasons the majority of the heresies consisted in the first instance of a denial of ecclesiastical authority. Public opinion reacted against the excesses of the clergy; but, as always happens in times of reaction, in many cases it went beyond the bounds of justice. Springing from a sentiment of legitimate indignation, this reaction frequently ended by shattering the unity of the faith. The very corruption of the clergy, from which the episcopate itself was not free, by abating the zeal of the prelates, caused a loosening of discipline. And so, as it became easier for dissent to grow, and the difficulty of abating it increased, the indifference of the bishops found excuse in the number of dissidents and in their ability to evade episcopal authority. Things had reached such a pass that prudent persons tried to avoid any discussion of matters of faith, and Pope Alexander III, writing to Gerhoh, Prior of Reichsberg, actually commanded him to abstain from debating the subtleties and niceties of theological doctrine, because such debates served no useful purpose, and merely caused men of small and backward intelligence to fall into error.

Meanwhile the need of remedying the evil was keenly felt. At the third Lateran Council, which met in 1179, very severe measures were passed against the heresies which, by their growth and by the violence of their followers, had proved most dangerous. Such were those of the Patarini, the Cathari, the Publicans, and others, which were scattered through the provinces of Alby, Toulouse, Aragon, Navarre, and Gascony, and which were already using brutal violence, either in defending themselves, or in attempting to bring into their ranks those who remained faithful to the Catholic doctrines. To this war the council responded with war. But even so, the

fathers of the council were not altogether forgetful of ancient traditions. "Although the Church," they said, "does not permit bloody deeds of vengeance, and is content with spiritual penalties, yet the secular laws often have a salutary effect in saving erring souls, by the fear of punishment they inspire." - And so, while hurling anathema against these new and turbulent sects and their adherents and protectors, and even denying them Christian burial, the council called upon Catholics to take up arms, authorized the various princes to deprive the guilty of their property, and to reduce them to servitude, and granted an indulgence for two years to all who should fight in the cause of religion, giving orders that the sacrament of the Eucharist be denied those who refused to obey the bishops when ordered by them to take up arms. It is true the Lateran Council, with these and with similar provisions, departed from the extreme indulgence and gentleness which the ancient fathers recommended and displayed; but it did not confuse the respective spheres of the two powers. The ecclesiastical authority had the right, as before, of inflicting spiritual punishment, while temporal punishment remained in the hands of the princes. Besides this, the episcopal jurisdiction was respected, for new and independent judges or tribunals were not set up to try cases of heresy, and no new order of procedure was instituted. And yet the extreme measures adopted by this assembly and the language of the conciliar decree show the grave fears entertained by the bishops there assembled, and the extent of the evil for which they sought a present remedy and a future preventive.

The constitution promulgated by Lucius III in 1184 is regarded by some writers as the origin and germ of the Inquisition. This papal decree, promulgated in agreement with the secular princes, directs the bishops to visit their respective dioceses once or twice a year, either in person, or through their archdeacons, or through episcopally appointed commissioners, in order to discover heretics, either by public rumor or by private report. In this constitution are already to be found the terms *suspects*, *convicts*, *penitents*, and *relapsed*, which indicate the different degrees of religious culpability, together with the different penalties prescribed. Yet here again a clear distinction between the two powers is still maintained, the Church confining itself to spiritual punishments, leaving the imposition of other penalties to the secular power. The intention seems to have been here simply to combat the laxity of the prelates, and to compel them to discharge their duties. The extraordinary commissions to which reference is made are in essence no other than the old synods, exercising purely and exclusively an authority delegated to them by the bishops. The most notable thing in this constitution is the fixing, to a certain extent, of the forms of ecclesiastical procedure in dealing with the dissidents; but these forms do not seem unreasonable, because they do not deprive the accused of indispensable safeguards. One can hardly see, therefore, in the decree of Lucius III the origin of a tribunal,

the character of which was diametrically opposed to the spirit of the provisions we find in it, and which has, in common with them, barely more than the idea of a special system of procedure for this kind of defendants.

It was in the thirteenth century that the Inquisition really began to appear as an entity with something of an independent character, and as an institution more or less foreign to the episcopate. Pope Innocent III, ■ haughty prelate, fully alive, even before he ascended the throne, to the immense duties, and consequently to the immense rights, of the pontificate, and determined to recover for the Church the preponderant position secured for her by Gregory VII, and to restore the full severity of her discipline, a means indispensable to that end, did not, and could not, show himself less active in the matter of religious discord than in questions of discipline. He was not content with the awakening of the zeal of the bishops. In the south of France, and even in the northern provinces of Spain, in spite of the steps previously taken, heresy, favored by various causes, was spreading more rapidly every day. In 1204 Innocent sent three Cistercian monks to Toulouse with full powers to take immediate action against heretics. They took with them a commission of the pope to *destroy*, to *disperse*, and to *eradicate* the germs of false doctrine in the provinces of Aix, Arles, and Narbonne, and in the neighboring dioceses wherever they found it necessary. These extraordinary powers at the outset produced results contrary to those intended. The prelates, offended by such interference in matters pertaining to their jurisdiction, not only failed to co-operate with the pope's delegates, but even placed serious obstacles in their way, and for a long time their efforts were partially thwarted by the ill will of the bishops and even by that of the secular magistrates. In spite of the almost unlimited authority with which they were vested, the three monks would have returned to Rome discouraged, as more than once they had thoughts of doing, if they had not found help in an unexpected quarter. It came from two Spaniards, the Bishop of Osma and a canon of his see, Dominico de Guzman, whom, in 1206, the pope sent them as colleagues. Both of them showed greater perseverance and energy than the three earlier delegates. But the man best qualified by his zeal and activity worthily to acquit himself of that thorny mission was Dominico. Upon him almost exclusively fell the weighty burden of combating heresy, for, after two years, the Bishop of Osma retired to his diocese. Thereupon the restless Spanish canon sought to associate various priests with him in the undertaking, and they finally established at Toulouse a kind of congregation, which became the Order of Preaching Friars, or Dominicans, when, in 1216, their statutes were approved by Honorius III.

The name of *Inquisitors of the Faith* had been given to these different papal legates; but even this term did not mean what it afterward came to signify; nor did these inquisitors set up an actual court with special forms

of procedure. Their duties consisted in discovering heretics, a task of no great difficulty, in combating them by word of mouth, in stirring up the zeal of the princes and the magistrates, and in inflaming the people against them. These incitements did give rise to some atrocious scenes, as was to be expected in a period of great barbarity, and when faith was wrought up to the pitch of fanaticism. But the action of the inquisitors was thus simply of a moral kind, and its material results were indirect. Yet the independence they enjoyed and the powers that had been given them, to the detriment of the episcopal authority, went far on the way to create that new power that was about to arise in the midst of the ecclesiastical hierarchy.

In spite, however, of the efforts put forth by the Inquisitors of the Faith, the conflagration continued to spread in the south of France, and the Albigenses (a name by which all the sects in those provinces which departed more or less from the Catholic faith were indiscriminately designated) neither gave ear to the preaching of the Dominicans and other controversialists, nor yielded to violence whenever and wherever they were able to repel it. The history of the wars against the Albigenses is nothing more than a list of atrocities perpetrated by the Catholics upon the heretics and by the heretics upon the Catholics. In 1208, in the midst of these mutual deeds of vengeance, Pedro de Castelnau, one of the pope's own legates, whom the Bishop of Osma and Dominico de Guzman had come to help, was assassinated by the dissidents. The spirit of intolerance and religious hatred was producing the ordinary fruits of these evil passions. In the midst of all these horrors, however, there appeared lofty minds capable of maintaining the ancient Christian traditions, and of keeping the priestly robes free from blood. Such was Saint Guillaume, Archbishop of Bruges, who persistently refused to ally himself with the system of violent compulsion employed in dealing with the heretics. Leaving it to the legates of Rome and to the prelates of the other dioceses to entrust the defense of Catholicism to the arms of the combatants and the headsman's axe, he limited himself to exhorting those who were hardened in error, to attempting to convince them with reason, and to imploring divine grace to enlighten them. At most he had recourse at times to a threat of fines, but not even this very mild threat was ever carried out. The death of this holy prelate in 1209 was soon followed by his canonization. So certain is it that, even when passions are most unbridled and ideas most perverse, respect for sound reason and genuine virtue is never entirely obscured.

The decrees of the Emperor Frederic II for the suppression of heresy, promulgated between 1220 and 1224, came to give new vigor to the system of sanguinary intolerance adopted against the dissidents, and in part to excuse it, by investing it with legal authority. The moral responsibility for the new law which the civil power created, and which took the place of the comparatively moderate Roman law, could not rest, at least not directly, upon

the priesthood in the same manner as did former incitements of fanatical crowds. Meanwhile practical intolerance, carried to the extreme in this legislation, caused the legitimate intolerance of the Church to degenerate, carrying it from the world of ideas into the world of facts. It would be absurd to demand of Catholicism that it should tolerate error; that it should admit the theoretical possibility of any point of doctrine contrary to its own; for that would be equivalent to having Catholic belief descend from the heights of dogma to the level of human opinion. But these ferocious laws necessarily rendered odious to the eyes of their victims the remote and innocent cause of their ills, ills that were in reality the offspring of brute fanaticism, and, at times, of political interest.

The year 1229 is the real date of the establishment of the Inquisition. The Albigenses had been crushed, and the struggle had been sufficiently long and violent to involve their practical extermination. In that year Romano de San Angelo, the pope's legate, called together a provincial council at Toulouse. Forty-five conciliar resolutions were there promulgated, eighteen of which related especially to heretics or to persons suspected of heresy. It was provided that the archbishops and bishops should appoint in each parish an ecclesiastic, with two, three, or more secular associates, all sworn to inquire into the existence of leaders of heresy, or of anyone who followed or protected them, and to report such persons to the respective bishops or to the secular magistrates, taking all necessary precautions to prevent their escape. These commissioners were permanent. The barons and other owners of estates, and the prelates of the monastic orders, were furthermore obliged to seek out heretics in the districts or territories dependent upon them, in the villages, in the forests, in human habitations, and in hiding-places and in caves. Whoever should allow one of these unfortunates to live on his land was to be condemned to lose it and to be subjected to corporal punishment. The house in which a heretic was found was to be razed. Other dispositions analogous to these completed a system of persecution worthy of the pagans when they attempted to smother Christianity in its cradle. At the same time Louis IX promulgated a decree which not only agreed in substance with the provisions of the Council of Toulouse, but which also directed the immediate punishment of condemned heretics, and threatened their abettors and protectors with confiscation and infamy. Thus the spirit of the legislation of Frederic II, which was already in effect in Germanic lands and in a part of the Italian peninsula, was now extended to France, and there it rendered much more dreadful the steps taken in the assembly at Toulouse.

Yet, cruel as was the character of the intolerance which predominated in that complexity of civil and canonical laws, there was still a profound difference between what may be called these rudimentary inquisitions and the colossal institution to which the name was subsequently given in the six-

teenth and following centuries. The episcopal authority was respected. Everything relating to the identification and condemnation of heretics, in which matters the ancient discipline was in force, was in the hands of the diocesan prelates. Later, though temporal penalties were inflicted upon the dissidents by the ecclesiastical assemblies, this invasion of the domain of the secular authority was excusable up to a certain point, because the princes at the same time decreed forms of punishment of equal or even greater severity, so that the decisions of the two powers mutually limited each other. Furthermore, though in the extermination of heretics the two authorities mutually encroached upon each other in practice, the Church did not forget officially to recognize the fact that her own action was restricted to the spiritual domain. On this point some of the canons of the fourth Lateran Council, held in 1216, and other ecclesiastical records of that period, are definite and final. It was not long, however, before these principles began to be set aside, and the new institution, now permanent, though still weak, thus gained in strength.

It is a fact that, in spite of the suppression of the Albigenses, Rome, whence came all the external activity of the Church, and where alone the general situation of affairs could be properly appreciated, felt that the ground was giving way beneath the feet of the clergy. Throughout the whole of civilized Europe, heresy was like the subterranean fires of a volcanic region where, when the flames die down in one crater, and only a few distant rumblings are heard, or a slender thread of smoke arises, new craters burst forth in other places, pouring forth lava and red-hot ashes. The heresies of southern France were followed in Germanic lands by a new kind of Manicheans, the Stedingers, a sect which at first confined itself to a refusal to pay tithes, and whose increase went on in spite of fire and sword. We are disposed to believe that the executions for heresy of which evidences are to be found in the history of this period in central France, Flanders, Italy, and other provinces, were limited to the leaders of heretical sects, and were not gratuitous atrocities perpetrated upon innocent persons. But, if this were so, how are we to explain the tendencies toward revolution that were manifested on every side? Whence came this spirit of reaction against the Church? From the corruption and abuses of her ministers; revolting corruption and abuses, of which we have evidence not furnished by the adversaries of the clergy, but by the Church's own records and by impartial historians. This multiplicity of heresies was, as we have already noted, nothing more than an excess of indignation which, passing the bounds of justice, led to error. If intelligent and energetic popes, such as Innocent III and Gregory VII, whom it is the fashion nowadays to exalt above their merits, had used as powerful means to remove scandal and to reform the priesthood as they used to exterminate heretics, it must be confessed either that they would have succeeded, or else that the gangrene was so deeply

seated as to make it impossible—a blasphemous proposition which would be equivalent to accusing God of abandoning his Church. The truth is that these absolute, irascible, and impetuous spirits found it easier to put their adversaries to the sword, or to send them to the stake, than to suppress with unflagging severity the excesses of the priesthood. The blind apologists of the clergy, those who suppose the cause of religion to be bound up with that of its ministers, have endeavored to obscure the considerations that tend to diminish the blame of the dissidents and render more odious persecutions that are foreign to the spirit of the gospel, by attributing to the brutality and licentiousness of the age the corruption and crimes of the body ecclesiastic, which, they say, could not rise above the level of the society in which it lived. This is simply one of those deplorable evasions to which prejudiced persons are wont to resort when they lack convincing reasons. We would ask these indiscreet apologists whether Roman society in the time of the Empire was, or was not, a sink of the most appalling iniquity and the most abject vices, and whether, in spite of this, the priesthood of the early centuries allowed itself to be corrupted by the pestilential air it breathed; whether it was not by the very contrast of its austere virtues and its respect for the teachings of the gospel with the prevailing conditions of society that it brought about the triumph of the religion of Jesus over paganism, and crushed out much more important heresies than those of the thirteenth century, without having recourse to the soldier and the executioner for their repression. And we would ask them, finally, whether they believe that Christianity can so act upon society as to regenerate it when it is corrupt, or whether, perchance, it is society that acts upon Christianity to corrupt it, and whether it is not exactly in the midst of general perversion that the priesthood ought to represent, and best can represent, the sublimity of the moral doctrines of a religion divine in its origin, and therefore incorruptible and immutable in its essence.

In spite of the extremely rigorous measures decreed for the repression of heresies, or perhaps in consequence of those very measures, the bishops and the inquisitions dependent upon them, which were created in 1229, went about the work of extirpating error with less zeal than, in the opinion of the pope, was compatible with the uprooting of error. The Order of Dominicans, or Preaching Friars, which, from its inception, had been the scourge of the leaders of heresies, had grown apace, though not so much as that of the Franciscans, whose development had been really prodigious. Gregory IX displayed for these new organizations, especially for the former, a singular liking. His own penitentiary and confessor was a Spanish Dominican, Raymund de Pennaforte, and from this fact one may infer what the influence of the order must have been, and to what extent the policy of the pontificate was bound to be, we will not say inspired by that corporation, but in harmony with its ideas. The office of inquisitor was, as a rule,

given to the Dominicans, who practiced such cruelties that it was not long before they were violently expelled (1233) from Toulouse, Narbonne, and other towns of southern France. The justice of this act, acknowledged by contemporary historians, was also acknowledged by the papal legate, who, when reinstating the friars of the Inquisition in that ill-fated province in 1234, with the same functions as before, added to each commission a Franciscan who was *to temper with his mildness the severity of the Dominicans*. It was a cry of remorse that escaped from the lips of fanaticism. At the same time that the inquisitorial trials were resumed there in a more or less rigorous form, Gregory IX entrusted to the colleagues of his confessor the exclusive exercise of the office of inquisitors in Lombardy, with powers that were practically discretionary. In Aragon, where many of the persecuted Albigenses had taken refuge, there had been established and organized in 1232 the system of inquiries concerning matters of belief. And at this juncture the pope especially recommended the archbishop of the province of Tarragona to appoint Dominicans for the exercise of this ministry. Thus the implacable sons of Dominico de Guzman were extending the network of persecution against dissidents all over Europe.

In the complexity of bulls and other pontifical utterances relating to the preceding facts, it seems clear that the Inquisition, as an institution distinct in its character and its object from the episcopal authority, was rapidly tending to consolidate its power. But the popes proceeded in the matter with the proverbial dexterity of the Roman curia. The resistance they encountered on the part of the diocesan prelates and even from the ancient monastic orders, which could not see with other than a jealous eye the progress made by the new mendicant bodies, and were especially aroused by the growing power of the Dominicans, warned them to be prudent. By using a system of special provisions, and by gradually restricting the intervention of the bishops in inquisitorial affairs, or by annulling it in reality without destroying it entirely, they followed a safer road. In Aragon, for example, the Dominicans were *recommended* to the archbishops as inquisitors; in Lombardy the pope gave them that office as his own delegated representatives, without the slightest reference being made in the bull relating thereto to the diocesan prelates. The Roman policy was concealed, or more or less openly displayed, as circumstances seemed to require.

The acts of the Narbonne Council of 1235, in which the three archbishops of Narbonne, Arles, and Aix took part, give us a clear idea of the progress made by the system of regular and permanent persecution since the Council of Toulouse. The first notable fact is that the resolutions of the Narbonne assembly are directed to the Dominican friars, as being alone concerned in the repression of heretics. In these matters, then, the episcopal power was, if not yet legally, at any rate in fact, entirely in the hands of the new papal militia. Besides this, there are certain very significant details in

the totality of the council's decisions. One of the dispositions provides that the confinement of dissenters condemned to life imprisonment should be suspended until their cases are definitely decided by the pope, and this is done because the inquisitors declare that the number of such dissenters is so large that not only were funds lacking with which to build sufficient prisons to contain them, but that there were hardly enough stones and mortar with which to build them. Another disposition directs that the friars, *for the honor of their order*, shall refrain from imposing pecuniary penalties, and from extorting money from those who were sureties for escaped heretics, or from the heirs of those who had died without doing penance while living. But the prelates end with declaring that they by no means intend to compel the inquisitors to accept the rules laid down at the council as binding upon them, because it would be an infringement of the discretion afforded them in their method of procedure, and that such resolutions are nothing more than friendly advice with which they desire to help those who represent the signatories in a matter that really belongs to the signatories themselves.

If this conclusion is not bitterly ironical, it proves how completely the episcopate had already bowed down to the inquisitors, how entirely exempt the latter felt themselves from the diocesan authority, and how dimmed had become the traditions of the ancient discipline. The recommendations regarding pecuniary fines show that among the inquisitors the interests of heaven did not cause them entirely to forget those of earth, and this circumstance suggests that, even at that time, there were less pardonable motives than blind zeal for the discovery of as many heretics as possible, and explains why there were not jails enough to hold even those condemned to life imprisonment.

Down to the pontificate of Innocent IV the history of the progress of the Inquisition offers nothing noteworthy except the one fact from which it is inferred that the abuses, of which it was accused in later centuries, go back to the time of its foundation. Invented to satisfy the violence of fanaticism, and consequently having its origin in an irreligious sentiment, cloaked though it was with the mantle of religious enthusiasm, it brought in its train an unbridled host of other evil passions, which likewise disguised themselves under the cover of Christian zeal. How often beneath their scapularies the hearts of the inquisitors must have throbbed with hatred, cupidity, and base desires! How often the Dominican, with his austere face and flashing hollow eyes raised to heaven at the moment when he uttered the anathema and the sentence of death, must have found it difficult to repress a cry of joy when he saw his long-felt thirst for vengeance satisfied at last! A converted Manichean, Robert, nicknamed the Bulgarian (a name given in some places to the Albigenses, the Patarini, and other heretics), who had taken the vows in the Order of the Preachers,

was, about the year 1239, one of the most ardent persecutors of his former co-religionists. Through his efforts nearly two hundred persons, condemned as heretics, had been burned at a single time before a great crowd of people in Champagne. In Friar Robert zeal for the faith was unbounded, and his thirst for blood was insatiable. Under the protection of Louis IX, his name had become a terror in the provinces of Flanders, where the fires he had lighted flamed on every side. That this reign of terror might not subside, innocent persons were burned when the real culprits could not be found. The excess of his ardor, however, finally made an end of him. The groans of so many victims aroused suspicion. Inquiries were made into the life of the inquisitor, and it was found that he was a man of bad character. His crimes had been such that Matthew Paris, a Benedictine monk and a contemporary historian, declares that it is better to say nothing about them. He was deprived of his office and condemned to perpetual imprisonment. With a little more prudence, who knows but that his name might have figured today in the ample catalogue of the saints of the Order of Saint Dominic?

Not only had the penalties for heretical offenses been increased by the laws of the Emperor Frederic II, but the forms of trial had also been made more severe, since the examination of cases of this kind had been given almost exclusively to the Preaching Friars. After the general Council of Lyons in 1245, by which two princes, Frederic II of Germany and Sancho II of Portugal, had been deposed, a provincial council was held at Béziers, at which, by order of Innocent IV, a definitive regulation was drawn up as to the method of procedure against heretics. This document, which reproduces some of the earlier provisions both of councils and of popes, and adds new ones, is very important, for it served as a basis for all the subsequent regulations of the Inquisition. It is divided into thirty-seven articles in which it is ordained in substance that, on arriving at any place, the inquisitors shall call together the clergy and the people, and, after making an address, they shall read the patent of their appointment and explain the ends they have in view, ordering all who are guilty of heresy, and *all who know of others who are guilty of heresy*, to come forward within a certain period and declare the truth. Those who comply within that period, which was called the "period of pardon," were to be exempt from the penalties of death, life imprisonment, exile, and confiscation. Those who had not presented themselves within the time appointed were afterward to be summoned individually, a limit being fixed within which they were to appear, and liberty was granted them for defending themselves. But if their defense should prove unsatisfactory, and if they failed to confess their sins, *they were to be condemned without pity, even though they should submit to the decisions of the Church*. The names of the witnesses *were to be concealed from the accused*, except when the latter declared that they had enemies and gave their names and when it was found that the witnesses were the enemies

in question. Any persons of *criminal or infamous character*, even though participants in the crime of heresy, were to be *accepted as accusers and witnesses*, with the exception of the mortal enemies of the accused. Those who fled were to be judged in their absence as if they were present, and if they returned they might be arrested or compelled to give security at the pleasure of the inquisitors. Those who refused to recant were to be compelled publicly to confess themselves heretics, in order that they might afterward be turned over to secular justice. Death was to absolve no one from persecution: even *deceased heretics were to be condemned*, their heirs being cited in their defense. Acts of penance not performed, in whole or in part, in the lifetime of those upon whom they had been imposed, *were to be satisfied by a levy upon their property after death*. Relapsed persons, or those who having recanted fell into error again, obstinate persons, *fugitives who came and surrendered themselves*, and those who were arrested after the expiration of the period of pardon, were all to be condemned to perpetual imprisonment. The method of treating those who were condemned to perpetual imprisonment was prescribed, a cell system of confinement being adopted; and for those condemned to less severe punishment, various kinds of penalties were fixed. It was ordered that there should be a general abjuration of heresy made by all the inhabitants of those provinces, and magistrates and public officials were required to take oath effectively to help the inquisitors and to exterminate the heretics. The institution of parish commissioners was renewed for the purpose of continually searching houses, huts, caves, and hiding-places, and to destroy these last, and to take in hand all dissenters.

It was commanded that the houses in which any of the heretics had hidden should be razed and the property of the owners was to be confiscated. Finally it was decreed that laymen might not possess Latin books upon theological subjects, and that neither laymen nor priests should have any books on these subjects in the popular language. Thus the physical gloom of the dungeons was supplemented by the still deeper spiritual darkness.

Meantime the death of the Emperor Frederic II relieved Innocent IV of a terrible adversary, and left him almost the sole arbiter of Lombardy and of other provinces of Italy. Improving this opportunity, the pope decided to set up in those territories permanent and independent tribunals of the Inquisition, composed of Dominicans and Franciscans. He was opposed, indeed, to the taking away of the cases of heresy from the episcopal courts, and to putting an end to the intervention of the secular magistrates, to whom belonged the punishment of heretics according to the ancient Roman law, to the modern imperial law, and to the municipal laws of the cities of Italy. The first difficulty he got round by creating in each diocese a tribunal composed of the bishop and the inquisitor, but so entirely con-

trolled by the latter that the prelate had only a nominal part in it. The second he avoided by leaving to the civil power the nomination of the new councillors, who were, however, to be elected by the inquisitors already in office, and still further by authorizing in other cases the civil magistrate of the district to send an agent of his own with each delegate of the Inquisition who went on a circuit of inquiry through the villages. With these and other provisions, which, as Friar Paolo Sarpi observes, rendered the public officials servants rather than colleagues of the inquisitors, a pretense was made of respecting the laws both of the Church and of society at large. In 1252 a bull was despatched to the magistrates of Lombardy, Romagna, and the March of Treviso, making provisions for all that was considered necessary to favor the progress of the Inquisition. The officers of this powerful tribunal were authorized by this bull to compel, by means of excommunication and interdict, the secular power to carry out whatever it was directed to do.

It should be pointed out here that these provisions relating to a part of Italy, as well as those successively decreed for the south of France and for other countries, were never universally applicable, nor did they give to the Inquisition the nature of a general institution of the Church. Although its action was, as a matter of fact, superior to the authority of the bishops, whose jurisdiction it had invaded, the common ecclesiastical law was always the same in principle and, even at times, in fact; for where there was no Inquisition the bishops continued to treat cases of heresy in the usual way when they appeared in their respective dioceses.

In proportion, however, as the tribunals of the Inquisition increased in number, resistance to their barbarous proceedings also increased. On both sides deep wrongs were done, which led to acts of revenge, and these acts augmented the irritation and gave rise to new atrocities. Wherever and whenever heretics, or persons reported to be heretics, could have recourse to deeds of violence in order to obtain revenge, they did not hesitate to perpetrate them. Evangelical tolerance and resignation had been done away with completely. The Inquisition, which was strong, had the scaffold and the stake; heresy, which was weak, had the dagger. On one side was a tiger which tore its victims to pieces; on the other was a snake that crawled on the ground, and, when it could, sank its poisonous fangs into the wild beast. One can estimate the horrors of the religious persecutions of the thirteenth century by comparing them with the sad history of the civil struggles of our own times. We may deepen the tones of the picture with the black tints of the ferocity and ignorance of those rude times, and with the still darker colors of religious fanaticism, whose energy cannot for a moment be compared with that of political fanaticism. We shall thus be able to conceive the dreadful scenes that were enacted in the provinces devastated by a method of conversion worthy of the early secretaries of

Islam. And so, after burning many real or supposed dissenters, there were assassinated in Aragon, and divers other places, the inquisitors Planedis, Travesseres, and Cadireta. Pietro da Verona was stoned to death in Milan, and others were murdered in various places. The inquisitors who thus fell victims to their own or to other people's fanaticism were regarded as martyrs, and the Dominicans gained day by day a boundless consideration and influence which their rivals, the Franciscans, tried to combat, shameful disputes thus arising between the two orders. Thus the repulsive was added to the horrible, and before such scenes religion veiled her face. The University of Paris was in general opposed to the friars, especially to the Order of Saint Dominic. The struggles between the friars and the university, perhaps the home of all that was most enlightened at this period, was long and bitter, and the mutual accusations, principally those of the university against the friars, produced such a scandal as to cause the latter to lose much of their popularity. Yet the university was beaten, not only materially, for the friars were favored by the king and by the pope, but also morally, because among its ablest men it had no one capable of successfully opposing the principal champion of mendicant monasticism—Saint Thomas Aquinas.

It was in the early days of this struggle (1255–1256) that, at the request of Louis IX, the reigning pope, Alexander IV, made the Inquisition general throughout France. The provincial of the Dominicans and the superior of the Franciscans of Paris were created its presidents, the former Inquisition of the southern provinces continuing to exist as a separate body. At first the instructions regarding procedure were moderate and in keeping with the character of the prince who had asked for the bull on this subject; but the pope proceeded gradually to perfect the work, and at the end of his pontificate the regulations of the new Inquisition were approximately in accordance with those which governed the older ones. It is true that Alexander IV, in one of the bulls relating to the French Inquisition, directs that the respective diocesan prelates be heard at the trial and condemnation of accused persons; but to this one may apply the observation of Sarpi concerning the nominal intervention of public officials in the proceedings of the Lombard inquisition. The divine right of the bishops was attacked almost everywhere and this new institution, unknown in the first twelve centuries of the Church, overshadowed the episcopacy.

Meanwhile in the provinces of Italy, where it had been set up with the most despotic powers, resistance was so great that the popes were compelled gradually to modify those powers. The provisions of 1252 were successively renewed with modifications by Alexander IV, in 1259, and by Clement IV, in 1265. Opposition, however, did not cease in consequence of this action, and so the four succeeding popes encountered serious difficulty in extending the inquisitorial jurisdiction. The chief causes of the

opposition were, on the one hand, the indiscreet severity of the brother inquisitors and their extortionate and violent behavior, and, on the other, the unwillingness of the municipalities to pay the expenses incurred in connection with these tribunals. This latter point was finally yielded, and, in order to temper the ferocity of the inquisitors, there was restored to the bishops a part of the control in such matters that lawfully belonged to them. For all that, however, it was not till 1289 that the republic of Venice accepted the Inquisition, and then only with greater limitations, placing it under the control of the civil power, so that it should not be considered a pontifical delegation, but a tribunal of the state. About this time the Inquisition was reaching its zenith in France. But soon it was to decline there, to sink to the condition of an insignificant institution, and finally to disappear. As late as 1298 Philip the Fair issued a decree in which it was ordained that when heretical leaders and their followers were condemned by the bishops or by the inquisitors, they should be punished by the secular judges, without right to appeal, but as early as 1302 this same prince opposed the usurpations of the tribunal of faith to the detriment of the civil power, forbidding the inquisitors to persecute the Jews for usury or for sorcery or for any other offenses that did not come strictly within their jurisdiction. Toward the end of the same century (1378) Charles V put an end to the absurd system that had been sanctioned at the council of Béziers, of demolishing the houses of heretics, and cooled the zeal of the ministers of the Inquisition by ordering that they should be paid a regular stipend instead of inheriting a certain share of the property of their victims. In the sixteenth century the institution was dead in France, and the slight traces of the office of the inquisitor met with during that period are the reminders of an innocent title given to a few Dominicans of Toulouse rather than the remains of a terrible reality.

The Inquisition, as we have already said, had made its way into the Iberian Peninsula almost from its very beginning; and Aragon, whither the heresies that had given rise to it had also made their way, was the scene of its cruelties. There, as elsewhere, it met resistance, and certain inquisitors, as we have seen, fell victims to the vengeance of those whom they implacably persecuted. From a bull addressed to the Bishop of Palencia in 1236 it is inferred that this bloodthirsty tribunal had also entered Castile; but the punishment of various heretics in the time of Fernando III seems rather to show that, in this respect, the old discipline was still in force in that province. It is true that in accordance with a large number of papal diplomas, it was the privilege of the provincial of the Spanish Dominicans to appoint *apostolic* inquisitors, that is to say, inquisitors directly dependent upon the Roman curia, in all places where they were deemed necessary to repress errors of faith; but history shows us that during the thirteenth century they had a permanent existence only in the crown states of Aragon.

In Portugal no traces can be found during this period of the appointment of a single inquisitor to exercise the functions of his office in any place whatever. The attempts of the Dominican Sueiro Gomes to put into force in the country certain laws that apparently tended to the establishment of the inquisitorial system, were energetically opposed by Affonso II, who, in the Cortes of 1211, drew up a scale of penalties to be imposed on heretics, but only upon those who had been adjudged heretics by the decision of the *diocesan prelates*, in accordance with the legitimate discipline of the Church. Afterward, upon the occasion of the famous trial of the Templars in the beginning of the fourteenth century, the bull of Clement V addressed to Dom Diniz, directing him to proceed against the knights of that order in his dominions, seems to presuppose the existence of inquisitors in Portugal, where, in fact, they may have been appointed by virtue of the power to institute them residing in the provincial of the Dominicans. But no records remain of the intervention of the provincial in that way, or in any other trial for matters of faith, nor does the bull, which was a kind of circular letter to the Christian princes, prove that inquisitors really existed. A suspicion that certain errors of doctrine had crept into Portugal called forth a bull from Gregory XI to Agapito Colonna, bishop of Lisbon, in 1376, by which the pope charged him, in view of the fact that there were no inquisitors in that country, to choose a Franciscan endowed with the necessary qualities for the office of inquisitor, who, being invested with all the powers conferred on him by the pope, should verify the existence of heresies and zealously persecute and extirpate them. Friar Martim Vasques was the man chosen, and he is the first one actually known to have been expressly and specifically invested with those functions.¹ The successive appointments of the Franciscans, Friar Rodrigo de Cintra, in 1394, and Friar Afonso d'Alprão, in 1413, and of the Dominican Friar Vicente de Lisboa, in 1401, have no historical importance. They were probably nothing more than titles obtained for the satisfaction of monastic vanity, and were perhaps a result of the emulation of one another by the two rival orders, the Franciscans and the Dominicans. Add to this that there were at that time two papacies, one at Avignon and the other at Rome, and that the Castilians obeyed one and the Portuguese the other, the result being that the Dominicans of Portugal did not recognize their Castilian provincial, whom they regarded as schismatic and to whom nevertheless belonged the office of chief of the inquisitors. This state of things gave rise to endless monas-

¹ This point was debated in a lively dispute engaged in by two members of the former Academy of History, Friar Pedro Monteiro, a Dominican, author of the *História de Inquisição*, and Friar Manuel de S. Damaso, a Franciscan, author of the *Verdade Elucidada*, to find out who was the first inquisitor-general in Portugal in the sixteenth century—a futile question, in which, however, the intelligence of the Franciscan seems quite superior to that of his adversary.

tic disputes unworthy of the attention of history. What is important in this connection, because it is a matter that interests humanity, is that these inquisitors, whether Franciscans or Dominicans, whether with lawful authority or without it, and invested either temporarily or in perpetuity with a fatal power, either did not dare to abuse it to shed human blood, or, if they did perpetrate any atrocities, the memory of such facts has not come down to us. These insignificant intrigues ceased with the separation of the Portuguese Dominicans from their Castilian colleagues, each body forming in the fifteenth century a distinct province, and the Portuguese provincial continuing, as is said, to be invested with the empty title of inquisitor-general of his own country and the power of flattering a few of his subordinates with the appellation of special inquisitors.

If in the fourteenth century the Inquisition in Portugal was practically nonexistent, and if in the following century it had become a monastic farce, such was not the case in the rest of the peninsula, at any rate not in Aragon, where the *autos-da-fé* were repeated in the fourteenth century at short intervals. There, as well as in Castile, the inquisitors intervened more or less actively in the trial of the Templars. Afterward the Dominicans Puigcercos, Burguete, Costa, Roselli, Gomir, Ermengol, and others took part in the persecution and extermination of many persons accused of heresy in the provinces of Valencia, Aragon, and Ampurias. The most prominent figure among them, however, was Friar Nicholas Eymericus, inquisitor-general of the Aragonese monarchy. With the activity wherewith he persecuted those whom he deemed unfaithful to the Catholic religion, this famous fanatic combined labors in the field of jurisprudence, writing the *Directory of the Inquisitors*, a compilation of all the civil and canonical legislation and all the jurisprudence then existing in regard to the crimes that the Inquisition was intended to proceed against and to punish. Proofs of the unflagging zeal of Eymericus and his delegates during the second half of the fourteenth century are to be found in the *Directory* itself, where he has not forgotten to mention the *autos-da-fé* celebrated in that period. The ecclesiastical history of Aragon furnishes us with analogous facts in the following century. The memory of many executions for crimes of heresy is associated with the names of the inquisitors of that country and of Valencia and Majorca, the Dominicans Ros, Corts, Murta, and Pagés. But, as at all times and in all places, the Inquisition, in the one province of Spain in which it was permanently organized, does not seem to have been a very efficient remedy for obviating religious misconduct. The errors of Wycliffe spread throughout those regions, and the Dominicans Ferriz and Trilles had occasion to convince with fire those who had not yielded to the lucid arguments of prison, rack, and penance. For a space of more than thirty years (1452-1483), Friar Christovão Galvez, armed with inquisitorial power in that country, was able to gratify all the evil passions that ruled

him until Sixtus IV, putting an end to the villainies of the Aragonese friar, ordered his dismissal, contenting himself with that mark of his displeasure, though in the bull dealing with the matter he says that the unheard-of procedure of that *impudent and wicked* man was worthy of exemplary punishment. Such was the justice of Rome in this dark history of religious oppression.

But the time had finally come when the excesses of intolerance, hitherto confined in the peninsula almost exclusively to the states of Aragon, were to spread over the whole of Spain. For nearly three centuries the Inquisition had been occasionally guilty of frantic excesses of ferocity. It was now actually to become what it had hitherto been only in appearance, a permanent and active institution, working in the dark, cold, calculating, and implacable in all its acts, preparing in silence to intimidate not only people and princes but even the very pastors of the Church. The establishment of the Inquisition as a permanent tribunal, with exclusive supervision of all aberrations from the Catholic doctrine and invested with the character and tendencies that won it so sad a celebrity in the following centuries, may be placed about the end of the fifteenth century. It was then that the episcopate resigned itself to losing entirely, in practice, at least, one of its most important functions and one of its most sacred rights, a deplorable rupture with the old discipline of the Church, against which there seem to have been raised only the rare and ineffectual protests of one or two prelates who ventured still to call to mind the episcopal prerogatives.

Isabel, the wife of Fernando of Aragon, king of Sicily, had mounted the throne of Castile on the death of her brother, Henry IV, in 1474. Upon the death of John II, king of Aragon, his son, Fernando of Sicily, succeeded to that crown in 1479, and thus were united the two most powerful states in the peninsula. Of all the Mussulman states that had been established north of the straits, the kingdom of Granada was the only one remaining to Islam. Fernando, an ambitious and warlike prince, was not long in reducing it to submission, as well as the Christian kingdom of Navarre, of which he despoiled its last sovereign, Jean d'Albret. Thus toward the end of the fifteenth century the entire Spanish peninsula, with the exception of Portugal, formed a single monarchy under the rule of Fernando and Isabel, though the different nationalities that existed in the country continued to survive, to a certain extent, in their outward forms. Having been born in a country in which, during the medieval centuries, the torch of material intolerance had been kept alight and burning with a greater or less intensity, Fernando V enjoys the melancholy glory of having been the founder of the modern Spanish Inquisition. The Sicilian inquisitor, Friar Philippe de Berberis, coming to Spain to ask of the Catholic rulers the confirmation of an ancient privilege, whereby a third of the property of those condemned as heretics became the perquisite of their judges (an excellent

expedient for finding culprits), after obtaining a favorable reply, undertook to point out to the Aragonese prince how convenient it would be to establish the permanent tribunal of the Inquisition in the peninsula. Hojeda, prior of the Dominicans of Seville, seconded him in this attempt, and the papal envoy, who saw the advantages that might thence accrue to the Roman curia, furthered by every means in his power the application of the two friars. To give greater plausibility to this plan, cases of profanation of holy things were at once brought to light; the acts in question had been performed in secret, it is true, but almost miraculously revealed. At any rate the Dominican Hojeda reported them, and Fernando V was disposed to believe them. These accusations of clandestine acts of sacrilege were brought against families of the Jewish race, and the families of that race were the richest in Spain. If the Jews were condemned as heretics, their property would be confiscated, at least in large part, and so the incentive for exciting the religious zeal of the monarch was very strong. There was one difficulty, however, to be overcome. Isabel, the Catholic, was unwilling to permit in the monarchy of Castile and Leon a continual repetition of the scenes which were the inevitable consequence of the establishment of that bloody tribunal, and which were out of keeping with the gentleness of her natural disposition. The prayers of her counselors, whom the king and the Dominicans had inspired with their own ideas, finally led the queen to believe that the adoption of the tribunal of faith was highly advantageous and perhaps indispensable to the progress of Catholicism. She yielded at last, and the Bishop of Osma, ambassador of Castile at the court of Rome, received an order to ask the pope to issue a bull creating that tribunal in Castile.

The causes that had given rise to the former Inquisition had disappeared. The heresies of the Albigenses and of the other sects which threatened the Church with great injury in the thirteenth century were of considerable importance and spread rapidly, thus furnishing motives to those who had not enough faith in the indestructibility of Catholicism to seek to free themselves from their own terror by scattering terror among their adversaries. Heresy had princes who protected it, soldiers who fought for it, so the sanguinary deeds of vengeance directed against the leaders of heresies and their aiders and abettors were not to be carried out without risk. Fire and sword were made ready in both camps. It was a savage conflict, atrocious and anti-Christian; but it was a conflict, and it was not without elements of nobility and grandeur. The Inquisition was only one unholy means of exterminating heresy among many others that were employed at that time. Toward the end of the fifteenth century circumstances were entirely different in Spain. Errors of faith, if they appeared openly, were nothing more than individual opinions involving no consequences. They appeared occasionally in some book or other, without any echo among the people at large, and even in those rare cases it was not difficult to obtain the retraction

of the author. Against whom, then, was it sought to establish, in this new and doubly efficacious manner, permanent persecution under the regulations of the ordinary courts of justice? Almost exclusively against the Jews. It is important, therefore, to know what the situation of this race was during the last decades of the fifteenth century,—a race that formed a people apart, and, at the same time, a distinct sect in the midst of the Spanish population.

Families of Jewish origin were very numerous in the peninsula. The reasons for this it is not necessary to recount here. Endowed to a marked degree with both good and bad qualities, these people have been distinguished in all ages for their unconquerable pertinacity, for their love of gain, carried even to the point of sordidness, for shrewdness, and for love of work. Living for centuries among the followers of the two great religions of the civilized world, Christianity and Islamism, despised when not detested by them, obliged to bear in silence humiliations of more than one kind and subjected to odious distinctions, the Jews were of necessity bound to cherish similar sentiments toward their oppressors. As a matter of fact, if we compare their lot during the Middle Ages with the atrocious persecutions of which they were the victims in the ensuing periods, it may be said that the barbarous ages seem highly tolerant. But the tolerance was entirely material. They were allowed to live in their own belief, to follow their professions, and to enjoy in peace the property they had acquired; but the civil laws which protected them were in harmony, to a certain extent, with the canonical doctrines. Outrage, almost from the first, was involved in the provisions of these beneficent laws, and the protection afforded by them did not always extend to the moral life of the Hebrew. They were compelled to live in separate quarters and to wear a distinctive dress. They could not hold certain public offices, and even in the affairs of social life they encountered at every turn customs and legal formulas that reminded them of the curses that rested upon their race. For this inferiority they were consoled to a certain extent by their material well-being, which they appreciated all the more keenly in proportion as humiliation deprived them of the sentiment of human nobility and dignity. The economic resources of the peninsula were largely in their hands. Industrious and temperate, excluded from brilliant positions and, therefore, not tempted to indulge in luxury and ostentation, they found their favorite occupation in commerce and manufacture in the broadest meanings of those words, with the result that they held in their hands most of the pecuniary wealth of the country. The position to which they were reduced forbade them from cherishing knightly honor and punctilio, and consequently usury, practiced with a harshness and cold calculation which the contempt of society justified them in showing, again and again swept into their coffers the values created by the agricultural industry, the chief occupation of the Christian population.

The continual wars of those semi-barbarous times and the unsound system of the public treasury were constantly placing princes in terrible straits, which obliged them to raise large sums of money on short notice, sums that could be furnished only by the Jews. Profiting by these and other circumstances, they obtained control of the state revenues, which were farmed out to the highest bidder, and, gratifying at once their resentment and their greed, they revenged their abasement by oppressive exactions. Being unable to compete with them in economic matters, and having become to a great extent their debtors, the former contempt of the Christians gradually turned into hatred. The popular aversion cloaked itself with the mantle of religion, and, up to a certain point, was due to conflicting beliefs; but the principal causes of this disfavor were baser and more earthly. Manifestations of general ill will toward the Jews had been frequent during the Middle Ages. Brawls and riots among the lower classes, inspired by fanaticism and aggravated by envy, occurred repeatedly in many places as early as the thirteenth and fourteenth centuries. Toward the end of the latter century (1391) a violent disturbance broke out, and spread through the towns and cities in various provinces of Spain, during which more than five thousand Jews were assassinated. As the pretext of religion was put forward to excuse this horrible slaughter, and as the Hebrew race is naturally cunning and timid, as soon as it was found that some of them had escaped death by declaring that they intended to be baptized, thousands of Jews had recourse to the same expedient, and the churches were thronged with persons of both sexes and of all conditions and ages, who declared themselves converted to Christianity. The number of families which ostensibly abandoned the law of Moses on this occasion is estimated at more than a hundred thousand. The preaching of the missionaries, who took advantage of the terror to further the triumphs of Christianity, easily produced the desired effect, and new conversions, real or pretended, followed hard upon one another. Among these zealous apostles Saint Vicente Ferrer distinguished himself in the early years of the fifteenth century. The impulse had been given. So many examples of apostasy encouraged the ambitious to abandon the faith of their fathers in order to obtain the offices and dignities from which Judaism had excluded them. These various motives made thousands of hypocrites, but very few sincere Christians. Afterward, when the terror of some was allayed, and the ambition of others was satisfied, repentance began to do its work, and, as was affirmed and as was probably the case, the majority of those who had abjured returned secretly to the rites of Judaism.

Inasmuch, however, as difference of belief was a minor cause of the popular ill will toward the Jews, that ill will, if no longer so dangerous to the converted, was nevertheless only dormant. The *New-Christians*, a general term applied to those who had abandoned Judaism, were given by

the common people the names of *converts* and *confessed* and even "*marra-nos*," an insulting nickname which in the Middle Ages was equivalent to *accursed*. However carefully the neophytes concealed their return to the religious traditions of the old law, and however scrupulously they observed the outward forms of Christian worship, it was inevitable that some among so many should betray their duplicity. Besides this, not having the heart to break with relatives and friends who, being bolder or more zealous for the faith, had remained true to the Mosaic doctrine, they gave an air of plausibility to the insinuations of hatred by strengthening the popular suspicion through this intimacy with their former co-religionists.

From the brief sketch we have given of the origin and development of the old Inquisition one fact is plain. It is that this manifestation of intolerance did not extend beyond the limits of Christian society. In this matter the Church acted in accordance with her own primitive traditions. The individual who by birth, or of his own free will, did not belong to that society was not to be made subject to its laws. Only he who was entitled by baptism to share in the rewards of the life to come was liable to the punishments threatened against the corrupt members of the organization. The perversity of the times had changed the spiritual punishments of an organization that was entirely spiritual into corporal punishments. This was an error in outward forms, but the principle that regulated the action of the ecclesiastical magistracy remained intact. Thus the old Inquisition, even in the days of its greatest fury, had left the Jews and Mussulmans in peace. It is true that ecclesiastical history offers us occasional instances of Jews being condemned by bishops or inquisitors for acts that had to do with worship; but this had happened when the accused had deliberately insulted the Christian religion, or when he had used holy things for the purpose of some impious superstition. Although the punishment of such a crime, which was really civil in character, ought to have been left to the secular princes, as the protectors of the Church, such procedure was excusable to a certain extent, because the strong and dominating Church thus repelled a provocation or an injury received.

The Inquisition, however, whose establishment Fernando and Isabel had requested of Rome, rested on a foundation much more dangerous than its predecessor. It was not simply the materialization of the penalties that rendered it at once absurd and anti-Christian, but also the cause and principle of its existence. The conversion of the majority of the followers of Judaism had been from every point of view an act of violence; the grace that had illuminated them was the fear of death. Compelled to choose between martyrdom and dissimulation, they had given the preference to the latter. In so acting they exercised a natural right. If they committed sacrilege by cursing Christ in their hearts at the very moment they received baptism, they were guiltless in the sight of God, and the responsibility

rested entirely upon those who had assassinated their brethren and upon those who had incited such excesses. All the sophisms of fanaticism or hypocrisy are powerless to shake the truth of these doctrines, which are in accord with conscience, with human reason, and with the spirit of the gospel. It may be affirmed that the new Inquisition, quite apart from the absurdity of its forms of procedure, of the atrocity of its ministers, and of the iniquity of its resolutions, was entirely lacking in all moral sanction by the very circumstances and purposes of its institution. In the majority of cases its death sentences were inevitably nothing less than judicial murders.

As was natural, the petition of Fernando and Isabel was favorably received at Rome. On the first of November, 1478, Sixtus IV dispatched a bull in which he authorized the sovereigns of Castile and Aragon to appoint three prelates or other ecclesiastics invested with high office, whether secular or regular, of good report, more than forty years of age, and professional theologians or canonists, whose duty it should be to seek out heretics, apostates, and their aiders and abettors throughout the dominions of Fernando and Isabel. The pope granted these selected officials the necessary jurisdiction for proceeding against the culprits, in accordance with the established law and customs, and gave the two sovereigns permission to dismiss them and appoint others as they might think best.

As the queen had been opposed to the requesting of this bull, her ministers delayed putting it into effect. It was desired to have recourse at first to less severe expedients. The cardinal-archbishop of Seville published a catechism expressly intended for neophytes, and recommended to his pastors that they should undertake carefully to explain to them the Catholic doctrines. Pedro d'Oasma, having about this time sustained certain propositions contrary to dogma, was summoned to appear before a board of theologians appointed by the archbishop of Toledo, primate of Spain. Being convinced of his error, he retracted, and no further proceedings were taken against him. A certain Jew succeeded at this time in circulating a book in which the public administration and the religion of the state were bitterly attacked. Yet he was not prosecuted, but instead Friar Fernando de Talavera, the queen's confessor, took up his pen and refuted him. Meanwhile, in the Cortes of Toledo, which met in the early part of 1480, an attempt was made to prevent the constant dealings and intercourse of the newly converted with their former co-religionists from being a temptation to them to relapse into Judaism. To this end the regulations were renewed and amplified which set up material and moral barriers between the followers of the old law and the Catholics, such as that which imposed upon the Jews the obligation of living only in separate quarters called Jewries, and of returning thither before nightfall, that of wearing badges on their clothes, and that by which they were forbidden to exercise the professions of physicians, surgeons, merchants, barbers, and tavern-keepers, whereby

the necessity of frequent contact between them and the people, especially the lower classes, was done away with.

Shortly after this, orders were given to Friar Alfonso de Hojeda, to the bishop of Cadiz, and to the governor of Seville to inquire into the effect produced by these indirect means. Hojeda was a Dominican, and the king and the papal nuncio had set their hearts on having the bull of 1478 put in force. The indulgent measures preferred by Isabel were considered insufficient. The Dominicans and the nuncio worked indefatigably. At last the queen consented to the definite establishment of the Inquisition. On September 17, 1480, Friar Miguel de Morillo and Friar Juan de S. Martiño were appointed the first inquisitors. They were both Dominicans, and were given as assistant Juan Rodriguez de Medina, a secular priest. One of the queen's chaplains, João Lopes del Barco, was associated with them as fiscal agent. Seville seems to have been the place in which most of the New-Christians resided at that time, for up to that time the attention of the government had been directed principally to that town. Seville was, therefore, chosen as the place in which the tribunal was to be set up. But in spite of the popular prejudice against the New-Christians, it was received with general repugnance by the inhabitants of that province. The noblemen who possessed privileged lands there regarded them as being exempt from the action of this magistracy, which was partly religious and partly civil, and the crown officials and delegates accepted this interpretation of the privileged nobility. The result was that almost all the New-Christians of the royal villages removed to the private estates of the nobles. The lands of the Duke of Medina Sidonia, of the Marquis of Cadiz, of the Count of Arcos, and of other nobles swarmed with fugitives. Severe measures were then adopted by the crown against the fugitives, and the inquisitors regarded them as virtually convicted of heresy by the mere fact of their flight. The persecution was at last organized.

The new tribunal being established, its first act was to issue an edict directing the nobles who had given shelter to the converts to send them as prisoners to Seville, on pain of loss of rank and confiscation of property in addition to the censures of the Church. The number of the prisoners was soon so large that the tribunal and the prisons had to be moved from the Dominican convent to the castle of Triana, in the outskirts of the city. Shortly afterward the inquisitors published a second edict, which they called the Edict of Grace, and in which they invited those who had apostatized to come forward of their own accord within a certain space of time and confess their sins, and thus avoid punishment and obtain absolution. Some did so; but, as it was the aim of the inquisitors to discover victims, they refused to fulfil the promises of the edict unless those to whom they had been made denounced, under oath, all the apostates they knew and even those whom they had only heard of. Besides this, they

were also bound by oath to preserve absolute silence about the information exacted of them. In this way the inquisitors spared the lives and property of these unhappy men in return for the betrayal of their brothers. At the expiration of the fatal term, a third edict was published, in which it was ordained in the most threatening terms that all Jewish heretics should be reported inside of three days. In that kind of manifesto the tribunal laid down a series of signs, any one of which was supposed to be sufficient for the recognition of such criminals. Most of these signs were ridiculous, and others would have proved only that the New-Christians retained certain habits of civil life contracted in their childhood, and which were not necessarily evidence of their attachment to the Mosaic doctrines. By this means it would be easy to discover thousands of culprits where not a single one really existed.

And the Inquisition soon found them. Toward the end of 1481, in Seville alone, nearly three hundred persons had been burnt at the stake, and eighty had been condemned to life-imprisonment. In the rest of the province and in the bishopric of Cadiz two thousand had been delivered to the flames in this same year, and seventeen thousand condemned to various canonical punishments. Among those punished were many wealthy persons, whose property was confiscated. To facilitate the executions a stone scaffold was built in Seville, on which the New-Christians were placed and later burned to death. This horrible structure, which was still in existence at the beginning of the nineteenth century, was known by the expressive name of *quemadero*—the burning-place.²

Meanwhile terror was causing thousands of families of Jewish origin to leave Spain, some of them going to Portugal, others to France, to Africa, and even to Italy. Those who took refuge in Rome went to the pontiff and found favor in his eyes. The Roman curia immediately adopted in this matter that system of shifting and duplicity, the shameful motives of which we shall clearly understand as this history proceeds. On January 29, 1482, the pope dispatched a brief, addressed to Fernando and Isabel, in which he complained of the acts of injustice committed by the inquisitors, and declared that, if they had not been appointed by royal charter, he would have dismissed them; but that he revoked the license in order to appoint others, restoring the authority of the provincial of the Dominicans, whose rights had been ignored in the bull of November 1, 1478, *through an error* on the part of the apostolic datary. This brief was followed by another, in which the general of the Dominicans and seven other friars of the same order were appointed inquisitors, to exercise their office *in harmony with the diocesan prelates*, observing the order of trial prescribed for them in a special bull. It is not exactly known what system

² This monument was removed in 1810 to make room for the construction of a battery. Prescott's *Ferdinand and Isabella*, I, 348.—Tr.

was adopted in this last named papal provision; but certainly it aroused a great outcry, and the civil power, which had bowed to the previous decisions of Rome, opposed it. The pope replied with an explanation analogous to that of the brief of January 29. These new provisions *would be reconsidered* on account of their having been taken hastily at the request of some cardinals who had fled from Rome on account of the plague. Meanwhile they would remain suspended, and the inquisitors would proceed in accordance with the common law and the apostolic bulls, *after hearing the diocesan prelates*.

At this time the court of Castile presented to the pope a new proposal. This was a request for the definite organization of the Inquisition, under the form of a supreme tribunal without appeal to Rome. To this Sixtus IV was opposed. At length it was agreed that an apostolic judge should be created in Spain to try all appeals from the decisions of the Inquisition. At the same time briefs were dispatched to the various archbishops directing them to notify any of their assistant bishops who were of the Hebrew race that they were to abstain from taking part in trials relating to questions of faith, and that in every such trial they were to appoint the vicar-general of the diocese as ordinary inquisitor, or, if he, too, were of the Jewish race, a clergyman of pure blood, the metropolitan being empowered to make the choice when the bishop opposed this measure. Finally, by another brief, Don Iñigo Manrique, the archbishop of Seville, was appointed judge of appeals. Apparently the pope thus delivered the Spanish Jews to their persecutors, but the concession of a supreme judge in Spain was only a deception. It was impossible for the Roman curia willingly to yield the profits to be derived from the revision of charges brought against men who were for the most part wealthy and who defended one another. Notwithstanding the appointment of Manrique the appeals of the New-Christians condemned by the Inquisition continued to be received at Rome without interruption. At last the pope addressed a bull to Fernando and Isabel, dated August 2, 1483, in which he stated that he had given ear to the petitions of various individuals who, fearing lest they should be still worse treated by the archbishops than by the inquisitors, had appealed to the curia; that some of them had already been acquitted by the apostolic penitentiary, but that he was informed that the pardons granted by the Holy See were regarded in Seville as null and void, the trials of these individuals being continued and some of them burnt in effigy when they could not be actually committed to the flames; that he had decided, therefore, to entrust this business to the auditors of the apostolic chamber, declaring these trials in Spain to be at an end, and directing the archbishop of Seville and the other prelates to permit the reconciliation to the Church of all those who requested it, even though they had been condemned to be burnt to death. He likewise laid upon them the obligation of absolving

those who presented themselves with briefs for that purpose, and of regarding as absolved those who had been acquitted by the Roman penitentiary. The pope concluded by advising the two sovereigns to protect their subjects and to use gentleness and charity rather than severity.

But this bull was merely another deception following upon the first. Anyone who read it would suppose that it had been inspired by the love of justice and the spirit of evangelical kindness. It dealt a fatal blow to intolerance and fanaticism, and through it the Inquisition lost power and was restrained in its career of excesses. Yet eleven days afterward, a period altogether too short for the arrival of the pontifical diploma at the court of Spain, or for protests against it to reach Rome, the pope wrote to Fernando of Aragon that, having realized that the bull had been dispatched with too much precipitation, he had thought best to revoke it. As a matter of fact, there was a good reason for this double dealing; the briefs in behalf of those who had asked them individually, the pardons of the penitentiary, and the diploma of August 2 itself, having been requested, solicited, dispatched, and *paid for*, could not yield another farthing to the Roman curia. Their execution or non-execution were affairs of very little importance. Returning from Rome with empty pockets and amply supplied with useless parchments, some of the New-Christians obtained authentic copies of the bull of protection from Don Garcia de Menezes, bishop of Evora in Portugal, and presented themselves in Seville. But the pope had anticipated the difficulty in time. The previous sentences of the Inquisition pronounced by Don Iñigo Manrique having been confirmed, these New-Christians were promptly burned at the stake, and their property was turned over to the treasury which failed to secure only the gold expended by them at Rome. Thus all interests were reconciled, and the result of such a dexterous proceeding must have greatly amused the pious king, Don Fernando of Aragon, the inquisitors, and the pope.

Not only was the *precipitation* with which the bull of August 2 had been dispatched remedied by the suspension of its operation, but care was also taken to give the inquisitorial system a more definite organization, it being strengthened by the creation of the office of inquisitor-general and of a superior council of the Inquisition. Among the Dominican friars who, in consequence of the brief of January 29, 1482, against the violent practices of the inquisitors chosen by the government, were appointed by the pope together with the general of the order to exercise that office (in view of the fact that, by this same brief, Sixtus IV had withdrawn the authority given the Catholic sovereigns to choose another one), was a certain friar, Tomas de Torquemada. This man was the one selected to be the first inquisitor-general of Castile. The circumstances which led to his choice for such an important position, as well as the date of that choice, are wrapped in obscurity. All we know is that he was already inquisitor-

general of Castile, and that he was invested with the same dignity in Aragon by brief of October 17, 1483. The ample powers attributed to that new office received the confirmation of the apostolic see in 1486. Torquemada, whose name became in history symbolical of the most cruel intolerance, at once set up four subordinate tribunals in Seville, Cordova, Jaen, and Ciudad Real (the last of which was soon transferred to Toledo) and gave besides a commission to the other friars who had been appointed with him by the pope in 1482 to act as inquisitors in various dioceses. These men obeyed the orders of their chief with ill grace, for they deemed themselves immediately dependent upon Rome. Torquemada, however, dissembled with them. Meanwhile, in order to strengthen his authority, and better to regulate the system of extermination that he had conceived, he chose for assistants two jurisconsults, and, with their help, drew up a code for the Inquisition, the chief source of which seems to have been the book written on this subject in the preceding century by Nicolas Eymericus. At the same time Fernando V, whose ideas and designs agreed wonderfully well with those of the chief inquisitor, created a royal council of the Inquisition, which was to represent therein the civil power. Torquemada was appointed president of it and its councillors were the bishop-elect of Mazara and two doctors of law, Sancho Velasques de Cuellar and Ponce de Valencia. The deliberative vote of the three councillors was to be limited to civil questions; in ecclesiastical matters the decision always rested with Torquemada, who had been exclusively invested with that authority by the apostolic bulls. The inquisitor-general then called a general meeting in Seville, where there assembled the inquisitors of the four subordinate tribunals, the royal councillors, and the two assistants appointed by Torquemada. At this meeting the regulations already drawn up were approved, and, in October, 1484, the first inquisitorial code of Spain was published under the title of *Instructions*.

In April of the same year, the king of Aragon had convoked the Cortes at Tarragona, and there he had secured the adoption of the new reform of the Inquisition. In consequence of this, Torquemada set up one of the new tribunals in Saragossa, appointing as its members the Dominican Juglar and Pedro de Arbués, a canon of the metropolitan see. Fernando at the same time directed the magistrates of the province to give them all the protection and co-operation they might need. But in spite of the fact that the Inquisition was a thing of long standing in this country, the new tribunal appeared under such conditions and with such a character that resistance began to show itself at once. The most influential persons in the kingdom, most of whom belonged to Jewish families, addressed petitions both to the court of Spain and to that of Rome, asking that the inquisitors might at least be ordered to suspend their confiscations, seeing that they were contrary to the laws of Aragon. But while these steps were being

taken, the Inquisition proceeded against the suspects and began the *autos-da-fé*, burning a number of persons. These executions still further irritated the people, and feeling rose to a high pitch when word was received from the court that the petitions of their representatives had been rejected. The Aragonese character, more impetuous than that of the Castilians, could not patiently endure the violation of national right, and the result was a conspiracy against the lives of the inquisitors. Thus terror was opposed to terror, and if this system had been adopted everywhere and consistently followed out, the Inquisition would either have gone out of existence or it would have moderated its fury. Natural right rendered such a means of defense legitimate, for the persecuted people had not the resources for an open rebellion against Fernando V. When this prince murdered his own subjects on account of their religious opinions, he can hardly be said to have exhibited royal dignity. It is probable that the conspirators chose for victims those who had shown themselves most implacable against the New-Christians. Those whom it was decided to put to death were the inquisitor Pedro de Arbués, the assistant Martim de Larraga, and Pedro Francês, a deputy of the kingdom. The attempt failed time and again, but at last Pedro de Arbués was murdered one night in the cathedral, in spite of the fact that he was wearing a coat of mail beneath his ecclesiastical robes and an iron helmet under his cap. The news of his death, when spread abroad among the lower classes, caused an uprising in Saragossa against the converts, and perhaps alienated the sympathy previously felt with them. The irritated inquisitors, thirsting for revenge, lavished all their vast resources to discover the conspirators, and they were not long in succeeding. Vidal de Uranso, one of the murderers of Arbués, disclosed all he knew, and his depositions supplied the key to the mystery. More than two hundred victims were soon sacrificed to the memory of the murdered man. And still greater was the number of unfortunate beings who, within gloomy prison walls, long expiated a crime of which many of them had not even approved. The simple act of affording a place of refuge to one of the persecuted gave rise to new persecutions. Many members of the most distinguished families of Aragon and Navarre were accused, brought to trial, and finally figured in the *autos-da-fé*. A nephew of Fernando V himself was put in prison, and punished as a protector of heretics, and the same fate overtook certain men invested with ecclesiastical dignities. It is hardly necessary to say that such of the assassins as could be caught were cruelly punished; their hands were cut off while they were yet alive, with the exception of Vidal de Uranso, to whom pardon had been promised for reporting the other culprits, and, in order that the promise might not be wholly broken, his hands were not cut off until after his death. It seems as if the riots and resistance to the Inquisition at Teruel, Valencia, Lérida, Barcelona, and at other places (outbreaks and resistance

energetically suppressed by the civil authorities) must have been due to the indignation produced by the proceedings of the inquisitors among the classes powerful through nobility of birth or wealth, and among which the New-Christians exercised great influence. The lower classes could have had no part in these movements, unless they were bought over by the rich or urged on by the nobles, upon whom they were often dependent. Ignorant and fanatical as they were, their ferocious instincts attracted them to these scenes of cruelty which delighted the inquisitors, and by which this terrible institution became an instrument of the hatred that the degraded and miserable lower classes cherish at all times against the well-to-do and fortunate. But all resistance to the tyranny of the Inquisition on the part of those who had fears of becoming its victims, being suppressed by the civil power, was completely put an end to by the bulls of 1486 and 1487, which successively confirmed the appointment of Torquemada as inquisitor-general, not only of Castile and Leon, but also of Aragon, Valencia, Catalonia, and in general, all the states of Fernando and Isabel. With his powers increased by these bulls, the terrible Dominican was able to give free swing to the impulses of fanaticism. In Ciudad Real alone more than three thousand and three hundred individuals figured in various *autos-da-fé* in the course of the year 1486; in Seville, between that year and 1489, it is estimated that the persons condemned amounted to three thousand, of whom nearly four hundred were burnt alive. Some idea may be formed from these figures of the number of the victims of that nefarious tribunal in the other places where it existed. In the meanwhile, forsaken by the civil power and seized with profound terror, the New-Christians who were suspected of Judaizing, in spite of the cruel manner in which they had been mocked by the Roman curia, turned once again to the pope. Faithful to the system she had adopted, Rome received them with open arms. All who addressed themselves to the apostolic penitentiary, and who were well enough off to pay the price of a pardon, were either absolved or obtained briefs directing the ecclesiastical judges to grant them absolution, the inquisitors being expressly forbidden to interfere with them. The court of Spain and the Inquisition protested energetically against such a proceeding. Thereupon the pope, annulling in their essential features the briefs accorded to the New-Christians, declared that these pardons were valid only in the court of conscience. Thus the unfortunate men who had sacrificed part of their property to avoid death at the stake found themselves once more in danger of the *auto-da-fé*, but the resourcefulness and humanity of Rome were inexhaustible. To hand over the victims once for all to their persecutors would have been to cut off one of the most fruitful sources of its own profits, and the curia could not bring itself willingly to make so great a sacrifice. Innocent VIII offered the Spanish New-Christians the prospect of new pardons granted under new conditions; and they fell into

the trap, as was natural with men who saw behind them nothing but burning at the stake or being buried alive in the darkness of perpetual imprisonment.

We shall not follow up the phases of the various kinds of torture, the grievous deceptions, or the long-drawn-out agony in which the Hebrew families of Spain continued to struggle, now mocked by the treacherous favor of Rome, now handed over, without protection or hope, to the ferocity of Torquemada and of his delegates and satellites. Our special attention is now called to the deeds and scenes that particularly interest us in the history of hypocrisy and fanaticism—deeds and scenes in our own country. It is our duty, however, to speak of one matter which, connecting as it does the black annals of the Spanish Inquisition with the introduction of that institution into Portugal, is the natural transition from this brief sketch of its origin, which necessarily had to precede the story of its establishment among us.

We have already said that amid the conversions of the Spanish Jews, which were almost always brought about under compulsion, from the closing years of the fourteenth century and onward, the boldest spirits, or those who were more firmly attached to the traditions and faith of their fathers, had resisted terror as well as the dreams of ambition and vanity, which had induced many to betray them. Although free from the jurisdiction of the inquisitors, these Jews, who had remained faithful to the religion of Moses, could not escape the effects of the popular ill will. The terror that the idea of crime, augmented by its excessive punishment, aroused in men's minds against their converted brethren, now accused of a second apostasy, threw its shadow on them both directly and indirectly. The Hebrew race generally was involved in the hatred of the real or supposed Jewish apostates from Christianity, and thus the old prejudices of the common people with regard to that people, strangers, so to speak, in their own country, became more and more intense with the growth of organized and official persecution. Men called to mind the more or less absurd legends which tradition had handed down from age to age concerning the villainies, barbarities, and superstitions secretly practiced by the followers of the ancient law. Such was the custom attributed to them of stealing Christian children in order to crucify them on Good Friday, or the consecrated Host in order to practice all sorts of profanations with it. They were accused of having more than once tried to set fire to villages, and of insulting the Cross when they could do it with impunity. Finally, the Jewish physicians, surgeons, and apothecaries, in the opinion of the common people, frequently abused their profession to bring a large number of Christians to the grave. The backward conditions of therapeutics and pharmacy, and the imperfection of the methods of surgery, must, indeed, frequently have afforded facts which made this last accusation a plausible

one, just as it is also credible that the ill-treated and persecuted Jews more than once may have abused the healing art, to which they were specially devoted, in order to gratify a vengeance which they might hold to be legitimate. But what was bound above all else to render them odious in the eyes of sincere fanatics was the moral influence they exercised over their former co-religionists. It was said that the converts who become apostates did so mainly at their secret instigation. In this respect at least, general opinion was reasonable. Even without their admonitions, their example must have caused continual remorse in those who, through fear or because of self-interest, had denied the ancestral religion; and it is more than probable that the fanatics of Judaism did not limit themselves to awaiting the effects of this mute eloquence, and that not infrequently they tried by other means to bring back lost sheep to the fold of Israel.

These and other considerations gave rise to the idea of expelling the unconverted Jews from Spain. The question was considered in the councils of Fernando and Isabel, and there was an inclination to have recourse to this expedient. Being apprised of what was proposed, the Jews, who knew the covetous character of the king of Aragon, offered him thirty thousand ducats, ostensibly for the conquest of Granada, an enterprise that had just been taken in hand. They bound themselves at the same time strictly to fulfil the civil obligations imposed upon them by the law, such as that of living in separate quarters, returning to them before nightfall, and abstaining from the professions which it was understood should be practiced only by Christians. These proposals made an impression on the mind of Fernando and Isabel, who showed themselves disposed to accept them. The inquisitor-general, Torquemada, however, thought fit to interpose his veto. Presenting himself before the king and queen at Castile and Aragon, with the Crucifix in his hands, the fanatical and brutal Dominican had the insolence to tell them "that Judas had sold his master for thirty pieces of silver, and that they wanted to sell him a second time for thirty thousand ducats; and for this reason he brought Him there, in order that they might conclude the bargain as quickly as possible." Instead of punishing the chief inquisitor, the two rulers bowed their heads to this piece of impudence. On March 31, 1492, a law was published to the effect that all unconverted Jews should leave Spain by July 31 of the same year, under penalty of death and the confiscation of the property of those who disobeyed, and these threats were likewise launched against Christians who should give refuge to any of them in their houses after the expiration of the fatal term. Persons banished were permitted to sell their real estate and to take with them their household furniture, except gold and silver, which they might exchange for drafts, or for merchandise the exportation of which was not prohibited. Meanwhile Torquemada did everything in his power to induce them to follow the example of former

converts, by placing themselves, through baptism, under his jurisdiction. The example was not a very attractive one, and very few followed it, almost all of them preferring exile to the paternal guardianship of the inquisitors. It may easily be imagined at what a price most of them must have sold their property when obliged to get rid of it all within such a short time; a house was given in exchange for a saddle horse, a vineyard for a few yards of cloth. Eight hundred thousand Jews thus left the states of Fernando and Isabel in this one year. It is said, and it is probably true, that the fugitives devised an endless number of ways to take gold and silver with them. Some of them embarked for Africa; others, as we shall see later on, obtained permission to enter Portugal. What their fate was we shall also see later on. Of those who set sail for Mauretania, some, driven back by heavy storms, returned to various ports of Spain, and then, either filled with terror at the thought of exile when once they had had experience of it, or constrained by their implacable persecutors, accepted baptism; others, landing in Africa, after being despoiled and cruelly treated by the Moors, preferred to return to Spain, pretending to embrace Christianity; still others, martyrs to their faith, submitted to the tyranny of the Mussulmans, who at least respected their beliefs, and definitely settled among them. At last the Inquisition ruled in Spain with unlimited power, and Torquemada and his assassins could, with no one to gainsay them, introduce a reign of terror among all the inhabitants of the vast provinces under the scepter of Fernando and Isabel.

CHAPTER II

POSITION OF THE JEWS IN PORTUGAL IN THE FIFTEENTH CENTURY AND UP TO THE DEATH OF DOM MANUEL IN 1521

We have seen in the preceding chapter how a great part of the Spanish Jews, when compelled to leave their country, sought refuge in Portugal. We must now describe not only the circumstances under which this event took place, but also the state of their co-religionists in this country when they were joined by the exiles, giving our attention first of all to the situation of that race during the period immediately preceding the establishment of the Inquisition.

The remarks already made concerning the moral and material relations existing between the Spanish Jews and the Christian population are in a general way applicable to Portugal. Superior in industry and activity, and dominated by a thirst for gain, notwithstanding the contempt or ill feeling of which they were the mark, they had acquired from the first centuries of the monarchy that preponderance which is the inevitable result of intelligence, labor, and economy. Like all kinds of superiority, that of the Jews was apt to be abused, and the insults, especially those of a moral kind, which they suffered, generating indignation in their hearts, confirmed them in the tendencies which more and more embittered the mutual ill will existing between them and the Christians. Perhaps in no other part of Europe during the Middle Ages did the government, whether in its laws or in its administrative acts, so highly favor the Hebrew race as in Portugal, although there were always maintained in those laws and acts, with more or less rigor, the distinctions which pointed to their inferiority as followers of a religion which, however genuine it might be, was deemed to have been rendered obsolete by Christianity. The very favor, however, which in so many ways repressed the aversion of the Christians, gradually helped to deepen that aversion into a sentiment of profound hatred. This repugnance, moreover, was kept alive by fanaticism, by envy, and by the conduct of the Jews themselves, who managed to exercise part of the governmental authority, either directly or indirectly, as fiscal agents or farmers of taxes.

Considered as a nation set apart, to a certain extent, from their fellows, the Portuguese Jews were ruled by special public laws, and, in many cases, by special civil laws, from the beginning of the last quarter of the fifteenth

century. The jurisprudence then in force which was particularly applicable to them was compiled in our first regular code of native laws, known as the "Ordenção Affonsiana." In the towns the Jews lived in separate quarters, known by the name of *Judarias*, or *Judearias* [Jewries], where they formed a kind of corporation, called in earlier times *communities* and afterward *communes*.¹ In analogy with the system of government current among the Christian populace, these communes were ruled by aldermen and by *arrabis* or special municipal judges, and by other Jewish officials. Above these local magistrates was the chief *arrabi*, a high functionary of the crown and a magistrate immediately responsible to the king, through whom matters relating to the Hebrew race came before the sovereign. The chief *arrabi* appointed as many members of the council or *ouvidores* as there were districts (*comarcas*) in the kingdom; and these *ouvidores* formed a court of appeal to try cases brought in the first instance before the communal magistrates. The chief *arrabi*, having as assistant a learned Jew, who was his special *ouvidor*, supervised not only the administration of justice but also the administration and finances of the communes.²

From the very beginning of the monarchy, the Jews, for reasons we have already pointed out, exercised great influence in the kingdom. Among the accusations which the clergy, and the nobles who conspired with them, brought against the unfortunate Sancho II was the preponderance given under his administration to the followers of Judaism. The supreme control of the public revenues was placed in the hands of the Jews in the reigns of Dom Diniz and of Dom Fernando, the chief *arrabi*, Dom Judas, being grand treasurer under the former, and another Dom Judas under the latter, both being invested with an office which corresponded to that of our modern minister of the treasury. One of the most notable entails (*morgados*) instituted in Portugal up to the fourteenth century, was that of Dom Moysés Navarro, in Santarem, through a grant made by Dom Pedro I. But in view of the continual popular protests against the exactions committed by the ministers of state belonging to this race, King Dom Duarte had a law passed forbidding their employment as officers of the crown or of its beneficiaries; but while they were thus removed from the more exalted posts, the law did not prevent them from bidding for the farming of the taxes and practicing those acts which the people, with more or less reason, regarded as vexatious and extortionate. The laws which

¹ "Ordenção Affonsiana," L. 2 *passim*. See especially the *Memoria sobre os judeus em Portugal* by Ferreira Gordo, chap. 4; *Memorias da Academia*, VIII, 2; and the *Reflexões Historicas* by J. P. Ribeiro, p. 1, No. 18; Law of Affonso III of 1274, entitled "Da comunidade dos Judeus," in the *Livro das Leis e Posturas* in the National Archives.

² Ferreira Gordo, *op. cit.*; Ribeiro, *loc. cit.*; "Ordenção Affonsiana," *loc. cit.*

protected them were the expression of a wide tolerance. They were not only at liberty to follow their own religion and publicly to practice its rites in the synagogues, but also to regulate their private relations in accordance with their own customs. Any infringement of these guarantees which they enjoyed was forbidden by law under pain of the severest punishment, and when they had deserved well of their country by rendering public service, they were rewarded with favors like their Christian fellow-subjects. And finally the bulls giving them ample protection which they had obtained successively from Clement VI in 1247 and from Boniface IX in 1389, being presented to Dom João I by his chief physician, Moysés, were confirmed by that great prince, who gave orders that they should be scrupulously observed in their smallest details.⁵

If, however, the tolerance shown the Jews was such as would do honor to more enlightened ages, measures were also taken to ensure that, under cover of their immunities, they did not abuse the power and influence they possessed to pervert the religious ideas of the people, of which there was great risk when individuals of both sexes and differing faith were in daily contact and intercourse. More than that, various indirect means were devised in order to win them over to Christianity. These considerations, which had their influence on institutions and laws, resulted in some of those manifestations of moral intolerance to which we have alluded elsewhere, and which tended to make felt the inferiority of the followers of the old law. More than one institution presents this character. For example, in civil suits between Christians and Jews, though the case might be conducted in accordance with the privileges of the defendant, even when he belonged to the Hebrew race, in the matter of witnesses there was a difference; the Christian defendant could stay an action with witnesses exclusively of his own faith, but the Jew could not. In contracts of all kinds, whether between Jews or between them and Christians, it was permissible to use none but the *pure Christian* language, that is to say, Portuguese. The Jews were always obliged to prove the existence of any debts owed them by Christians, even when the debtors acknowledged them, and there were numerous legislative precautions to prevent usury, to which the Jews had such a leaning. In criminal cases they were subject to the jurisdiction of the Christian magistrates, as well as in cases in which the treasury was concerned. They were not allowed to enter the houses of Christian maidens or widows who were alone, nor those of married women in the absence of their husbands, though from this were excepted physicians, surgeons, and mechanics in the exercise of their professions or their trades. They could not have Christian servants, either male or female; they were obliged to wear on that part of their clothing which

⁵ "Ordenação Affonsiana," *loc. cit.*

covered the lower extremity of the breast a six-pointed red star sewn on the garment, so that it could always be seen, and at the same time they were forbidden to wear fine apparel or to carry arms. After they had retired to their quarters at nightfall, two sentries were stationed at the entrance of the Jewry to prevent their going out. Christian women were forbidden to enter their shops in the market-places, unless accompanied by some Christian person, and death was the legal penalty for women who dared to enter the Jewries—an excessive penalty, and one probably never carried out in cases of contravention. In matters of property they did not enjoy all of the ordinary advantages. For example, the law of ancestral right or preference in the purchase of property that had belonged to the ancestors of persons bidding at an auction was not applicable to the Jews. The synagogues could not hold real estate as could the churches. Hebrew merchants enjoyed no exemption from search, as did Christians, and, finally, all Jews were subject to a special poll tax, in addition to the general taxes.⁶

While these disadvantages and vexations made the situation of the followers of the Mosaic law at once inferior to that of the followers of the gospel, the prerogatives and conveniences which were secured by legislation to the neophytes who had abandoned Judaism, under a powerful incentive, helped to accentuate more forcibly the distance that separated the adherents of a tolerated religion from those of a dominating religion. Among the most notable provisions of this legislation should be counted those which imposed heavy fines upon persons who insulted the converts by calling them *turncoats* or *renegades*. The neophytes were, by the fact of their conversion, exempt from having to furnish arms and a horse in time of a war, even if they possessed the amount of property which rendered those who were Christians by birth liable to assessment with the alternative of serving gratuitously in the cavalry. In former times they had been obliged to give bills of divorce to their wives as soon as they were baptized, but they were authorized by the Affonsine Code to live a year longer with them, and were compelled to give them bills of divorce only if, during that period, the woman did not also adopt the husband's religion. The exemptions enjoyed by the New-Christians were shared by the Old-Christians who married converted Jewesses. So far was it from being lawful for a Jew to disinherit his son for a change of faith that the latter had the right to receive at once his share of the paternal and maternal inheritance, the father and mother being for this purpose regarded as dead, so that, if he were the only son, he at once had two-thirds of the family property—an effective, but highly immoral, device for promoting conversions. To these advantages was added that of being free from all the special vexations that weighed upon those of his race.⁷

⁶ *Ibid.*

⁷ *Ibid.*

Besides the Hebrew families there were in this country a vast number of Moors who followed Islam. The protection accorded them, and the burdens that especially oppressed them, were substantially the same as those which affected the Jews. The description of them belongs to general history, and has but little to do with the Inquisition; for, as we shall see later, those who did not wish to become converted were free to leave the country years before the establishment of that ferocious tribunal. Thus the number of victims belonging to the Moorish race was very small, and it is a matter of no interest in this connection to know what was the former situation of this part of the population.

Yet, in spite of the protection accorded to the Jewish race, or rather, partly on account of that very protection, the ill will of the people against them increased from year to year for reasons already stated. That ill will broke out at times in excesses which are revealed by certain legislative enactments of the fifteenth century, and of which even the old chronicles still preserve traces. We have as an example the riot that occurred in Lisbon toward the end of 1449. Certain youths of the city amused themselves by insulting and ill-treating the Jews of the commune, and carried their pranks so far that the offended persons went before the magistrates and asked for redress. The mayor, or *corregedor*, of the city, finding the accused parties deserving of punishment, ordered them to be publicly flogged. This was enough to cause a popular revolt. Giving free reign to their instincts, at once ferocious and cruel, the rabble and many of higher order armed themselves and attacked the Jewry. The crowds cried, "*Let us kill them and rob them!*" This last cry revealed the chief cause of so much hate. Upon attempting to defend themselves, some of the Jews were killed, and the slaughter would have continued, had not the Count of Monsancto immediately hastened to the scene of the conflict with the forces under his command. The revolt was suppressed, and the whole matter was reported to the king, who was at Evora at this time. Affonso V set out for Lisbon, because he had been informed at the same time of terrible symptoms of new disturbances, and, being officially informed regarding the persons arrested at the time of the uprising, he commanded that they should be put to death. But as soon as the executions began, the riots broke out anew, this time against the king himself, and with such violence that it was thought advisable to desist and to allow these deplorable events gradually to be forgotten.⁸

The ill feeling that thus blazed up so portentously burned the more vigorously on account of the sudden increase of the Hebrew population. This increase was due to the gradual emigration of the wealthier Jews from Castile, where persecution had already begun, and who came to help their

⁸ R. de Pina, "Chronologia de Affonso V," chap. 130, in the *Ineditos d'Historia Portugueza*, I, 439.

co-religionists to complete their control of the collection of the public revenues and the management of industry and commerce. This growing ill feeling did not burn in the hearts of the lower classes alone; it existed also among the clergy and among people above the level of the common herd. A letter has come down to us written by a certain friar of São Marcos, who was evidently in favor with Affonso V, which expresses the hatred felt for the Jews, and at the same time displays the economic causes which inspired it. Dissuading the prince from engaging in the warlike enterprises for which he had so strong an inclination, the politic friar emphasizes the present poverty of the treasury compared with the wealth of bygone times, and thence deduces the necessity of abandoning the idea of conquests and expeditions beyond the seas. The zealous counselor attributes the scarcity of funds to the expedient which had been adopted for collecting the taxes by a system of farming them out. In this incidental question the purely worldly motive of the aversion of the Hebrew race comes out, and one sees how the accession to its ranks of the Spanish refugees had increased its riches and preponderance. "Now, Sire," says the gratuitous counselor, "in its desire to obtain a larger income, the Christian population is subjected to the jurisdiction of Jews, while strangers to the country are carrying off most of the commodities of your kingdom, and the native merchants are perishing of want. For this state of affairs I would that your lordship might find a remedy, as so often you have been requested to do; for it would be more honor and profit to you if your fellow-countrymen were rich than for foreigners to be, for they bring loss and not gain to the country."⁹

But it is in the records of the various parliaments called together during the second half of the fifteenth century that the aversion felt toward the Jews is most clearly shown, for the language of the representatives of the cities and villages gave expression to the common sentiment not only of the lower classes but also of the Christian bourgeoisie. In the Cortes of 1475 they attempted so to arrange matters that, in civil suits between the followers of Judaism or Islam and those of the dominant religion, preference should be given, contrary to the general principles of law, to the cases of Christians, whether they were plaintiffs or defendants.¹⁰ From the records of these same Cortes it is learned that even the collection of fines for violations of certain laws was farmed out to members of that race, a grievance from which the people sought to escape, while at the same time they demanded that certain judicial fines should be imposed upon the Jews, from which they were exempted by their privileges.¹¹ It is, however, in the records of the Cortes of 1481 and 1482

⁹ "Miscellaneous Manuscripts of the Ajuda Library," Vol. XXXI, No. 74.

¹⁰ Cortes of 1475, chap. 2.

¹¹ *Ibid.*, chaps. 22, 23, and 30.

that the popular irritation shows itself in the most threatening manner : for in these later records economic questions are already complicated with religious ones. According to the ideas of that period, luxury was a grave social evil, and it was energetically combated by sumptuary laws. Nevertheless the wealth of the Jews, while enabling them to live in a splendid style, helped secure for them the tolerance of the magistrates, who allowed them to display their riches in the magnificence of their dress and adornments. This wealth moreover enabled them to take advantage of the comparative poverty of the Christians, humiliating them in more ways than one, and even giving them offense in regard to the objects of their worship. It is more than probable that the accusations brought against them by the representatives of the people in this respect were generally true. The power that gold gives is like any other form of power : its tendency is to abuse, and it does abuse its opportunities when it meets little or no opposition. For such a result to follow, it was not necessary that this wealthy class should belong to the Hebrew race or should observe the Mosaic law ; it was enough that it was composed of men, and powerful men. In the language of the popular demands one feels the throbbing indignation against and hatred of the Jews, though Moors and Christians appear to be included in the invectives launched against unrestrained luxury. "We speak thus, Sire," so they say, "because we see the horrible dissoluteness that is rife among the Jews, Moors, and Christians, in their style of living and in their dress, while in their manners and conversation are seen things repugnant and abominable. We see Jews made knights, mounted on richly caparisoned horses and mules, and clothed in fine gowns and hoods, silken doublets, gilt swords, and masks and turbans, so that it is impossible to know what race they belong to. They enter the churches and scoff at the Holy Sacrament, mixing criminally with the Christians and committing great sins against the Catholic faith. This profound licentiousness gives rise to errors and terrible sins that damn both bodies and souls. And, worst of these evils, they go about without any distinctive badge, simply because they have been made farmers of the public revenue, vexing the Christians, and because they have been made gentlemen, when, in the natural order of things, they should be serfs." Afterward, in asking for general measures to be adopted against foreign merchants living in Portugal, they refer especially to the Spanish Jews, who, after having been "driven and expelled from their own country on account of their perverse heresies, find welcome and protection in this kingdom." It is a dark picture they draw of the fatal consequences resulting from the intimate intercourse between the Jewish handicraftsmen and the families of the peasantry. "Great harm comes, Sire," they added, "from the freedom of the Jewish tailors, shoemakers, and other craftsmen, who, when left alone in the houses of the peasantry with their wives and daughters, while the husbandmen are attend-

ing to their work in the fields, commit seductions and adulteries." In this matter the representatives request the absolute prohibition of such liberty of movement, and that anyone who needs any work done should order the Jewish craftsmen to carry it out in their respective Jewries.¹²

Excessive scruples were not the weakness of Dom João II. To these complaints he replied in general terms and, though he did not deny the facts set forth by the representatives, he formally refused to compel the Jewish workmen to exercise their crafts exclusively in the communes. But for all this, the language of the deputies of the cities and towns became even more violent in the subsequent assembly of 1490. The first business they brought before the king was a unanimous request for the exclusion of the Jews from the farming of the taxes. They said that it would deliver the people from subjection to this race, who, as assessors and collectors, exercised everywhere a kind of lordship, a circumstance that obliged the Christians to have constant dealings with them, whence arose countless evils, both civil and religious, and daily enormities that were odious to God and man, which were matters of common knowledge. They pointed out that there was no Christian country in which the Jews were so highly favored as they were in Portugal; they being so shrewd that they were not only farmers of the revenue, but actually the administrators of the houses of the nobility; that it was necessary to deprive them of these occupations and to reduce them to the condition of peasants, laborers, or merchants; that, furthermore, it was essential to take various measures in order to deal with the tricks and artifices whereby they ensnared many Christians, taking from them all they possessed and reducing them, through want, to a kind of slavery.¹³ But if these complaints, even though they may have been exaggerated, give us a pretty clear idea of the state of the economic and moral relations existing between the two races toward the end of the fifteenth century, the reply of the crown throws still more light upon this dark picture and brings it into yet sharper relief. Dom João II formally refused to exclude the Jews from the farming of the taxes. What was happening in certain parts proved, in the king's opinion, that the Christian tax-farmers, far from being less oppressive, were even more so than the Jews. It was for this reason that former monarchs had decided to entrust the Jews with the management of the public funds, under even fewer restrictions than he himself required, seeing that even in his father's lifetime he had caused them to be excluded from the farming of ecclesiastical revenues and from being officers of the crown—far from unimportant matters in former times. Besides these considerations there was another and irresistible one, and that was that there were no Christians competent

¹² Cortes of 1481 and 1482, chapters on "The Licentiousness of the Jews," on "Resident Aliens," on "Jewish Dealers in Ready-made Clothing."

¹³ Cortes of 1490, chap. 1.

to undertake the farming of the taxes, and, when there were any such, they demanded such enormous profits that it was impossible to come to an agreement with them. The only concession the king made was to prohibit the Jews from being administrators of private houses, just as they were already excluded from public offices.¹⁴

In the records of the Cortes of 1490 we find various other traces of the popular ill will against Hebrews, an ill will that was, to a certain extent, legitimate, as always is that felt by the oppressed against the oppressor. What has been cited is enough, however, to make us acquainted with the material and moral situation of the Jews. The reply of Dom João II makes it all clear. The funds of the country were almost wholly in the hands of the Jews, and this fact brought about what we nowadays call monopoly. This monopoly was chiefly exercised in the usurious administration of both the public and private revenues, in which business the few Christians who could take part in it were quite as bad as, or even worse than, the Jews. To the abuse of immoderate profits were added licentiousness and the gratification of dissolute passions, so greatly facilitated by the wealth of some and the dependence of others. In the minds of the masses envy was necessarily added to this sentiment of oppression, and gave it redoubled vigor, while it served at the same time as a cloak for opposite religious beliefs. This difference naturally led the followers of the law of Moses to ridicule Christian worship. The people being thus outraged in so many ways—in purse, in pride, and in their intimate feelings—by this wealthy and powerful race at whose mercy they were, what wonder if their hatred, after accumulating for centuries, should finally manifest itself in terrible outbursts or in incessant and implacable persecutions, when fanaticism gave an even greater impulse to these popular propensities?

Without admitting the propriety or necessity of turning a purely social question into a religious one, condemning from the bottom of our soul an institution so anti-evangelical—a disgrace to Christianity that smirched with great and indelible marks of blood the spotless vestments of the priesthood—and rejecting the atrocious idea that presided over the establishment of the Inquisition, for the very reason that it seems to us that, if it had not been set up, the crying infamy of the sixteenth century, so contrary to the tolerance of Portugal in the Middle Ages, would have been avoided. We feel, nevertheless, that when matters had reached the condition in which they were in the reign of Dom João II, it was necessary to repress the Jews severely, to put a stop to the abuse of money and, above all else, to adopt some other system of collecting taxes; in short it was necessary to defend the weak against the strong, and labor against capital. In matters of religion it was indispensable to maintain the rights of every man with

¹⁴ Cortes of 1490, chap. 1.

strict impartiality; it was necessary to protect the synagogue, but inexorably to punish any one who insulted the Catholic place of worship, not only because it was that of the true religion, but also because it symbolized the belief of the majority of the citizens. These things were not done; and the general irritation, not satisfied with inefficient and incomplete provisions, increased with the events brought on by the establishment of the Inquisition in Spain, which had to do with the question of Judaism in Portugal as we shall now see.

We have shown in the preceding chapter how, when Fernando and Isabel determined on the expulsion of the Spanish Jews, and the law of March 31, 1492, was promulgated, in which they were given only the space of four months for their departure, many of them sought and obtained permission to enter Portugal, whose territory, on account of the extent of the frontier and the ease with which it could be crossed, offered them the readiest and most accessible refuge. To this consideration was added another not less important that attracted them to Portugal. The Spanish and Portuguese Jews, by their proximity, kinship, frequency of intercourse, and identity of origin and faith, may be regarded as two groups of the same nation and branches of the same family. The bulk of them, whose fortunes were inevitably diminished or lost in that sudden expulsion, found help in a powerful class of the Portuguese population, which was still accorded religious and civil protection by the state in spite of the general hatred of which it was the object. This fact is enough to explain the eagerness of the Spanish Jews to find refuge temporarily in this country. They preferred this to going to Africa, where, after the perils of the sea, which threw many of them again into the clutches of Torquemada, they had to submit to the cruelty and brutal passion of the Moors, who were incapable of any idea of generous hospitality. Historians tell us that the agents sent by them to Portugal to ask permission to enter that country wrote to tell them that they should come, for the water was already theirs (the maritime commerce), the land good, and the inhabitants stupid, and that the rest, also, would soon be theirs.¹⁵ This anecdote has all the appearance of being one of those fables that malevolence so readily invents. The terror and affliction that overwhelmed the Spanish Jews at that time did not admit of any such jokes. And then, too, if they were able to come and dispute the wealth and power of the country with anyone, it was not so much with Christians as with their own co-religionists. The truth is that they did not then ask leave to live in Portugal, but only to pass freely through on their way to other countries. Hard pressed by the shortness of the time granted them for leaving the states of Fernando and Isabel, they asked that free

¹⁵ Dom Agostino Manuel, *Vida de Dom João II*, p. 270; Monteiro, *Historia da Inquisição*, II, 425.

access should be granted them across the frontier, and that afterward they should be allowed to depart by way of the seaports. In return for this temporary hospitality, they offered large sums. At a council held at Cintra the king explained the matter at length, showing that he had made up his mind to accept the proposal, mainly with the object of applying the funds to the war in Africa. Some members of the council, either because they wished to agree with the king, or because they thought that the material advantages of the proposal were sufficient to quiet all scruples, or finally because of a feeling of humanity, were of the same opinion. Others, however, inspired by fanaticism, opposed the plan. They held that it was a shame for Portugal to be more indifferent than Castile in matters of faith; that, if entrance were refused them, the Jews, finding themselves between conversion and the scaffold, would prefer the former, or that, at any rate, in the contrary case, their children would become Christians, just as when an old tree is cut down, vigorous young shoots start up from the old stock; and that, finally, the pretext of the war in Africa was not sufficient to palliate a disgraceful deed. Dom João II was not a man to be turned from his purpose by such reasoning, and the admission of the Jews was finally determined upon.¹⁶ The conditions were as follows: that the space of time allowed for the entry and residence in the kingdom should not exceed eight months; that they should pay a poll tax, concerning which writers are not agreed, possibly because the demands really exceeded the terms agreed upon,¹⁷ and those who should fail to pay it on crossing the frontier were to become prisoners; that finally the Portuguese government should supply them with ships for transporting them where they wished to go, they paying for their own passage.¹⁸ Six hundred of the richest families made a separate arrangement by which they were allowed to remain in the kingdom for a sum of sixty thousand *cruzados*.¹⁹ The same privilege was granted to journeymen of certain mechanical trades. The places at which the entry was to take place were then fixed upon; they were Olivença, Arronches, Castello-Rodrigo, Bragança, and Melgaço. Fiscal agents were sent to those places to collect the poll tax and to give receipts which were

¹⁶ Pina, "Chronologia de Dom João II," chap. 65. In one of the volumes of the "Historical Memoirs" (manuscript in the Ajuda Library), apparently by João de Barros and Fernão de Pina, folio 192, a majority of the council is reported to have been of the opinion opposite to that of the king.

¹⁷ "With the imposition of a certain number of *cruzados* per head, [Pina, *loc. cit.*] that they should pay so much per head; the amount fixed was one *cruzado*."—"Manuscript Memoirs of the Ajuda Library," folio 193. Mariana raises the poll tax to eight *escudos* in gold. *Historia General*, L. 26, chap. 1. Goes, "Chronologia de Dom Manuel," Part 1, chap. 10, says it was eight *cruzados*.

¹⁸ Pina, "Manuscript Memoirs of the Ajuda Library," *loc. cit.*

¹⁹ "Manuscript Memoirs of the Ajuda Library," *loc. cit.*

to serve as vouchers for the immigrants. The sums of money received at this time were enormous; for, as the Portuguese territory was the most convenient for migration, and as the number of the immigrants amounted to nearly eight hundred thousand persons, it is not too much to suppose that a third of that number crossed the frontier. Meanwhile many of them, either the poorest or the most avaricious, followed unused roads, and made their way into the interior of the kingdom, avoiding payment of the price of admission, but running the risk of arrest, which the vigilance of the king's ministers and officials soon turned into a reality. These unfortunate creatures, being reduced to slavery, were apportioned to anyone who asked for them. For a long time afterward accusations of having defrauded the treasury were brought against many of the immigrants, with the consequence that they were made slaves. Fifteen thousand *cruzados* offered to the king and one thousand to the ministers whose business it was to verify contraventions of this order put an end to that kind of persecution. But the people who, on account of their feelings against the Jews, were opposed to the king's resolution, killed those who were found wandering alone along the roads and in unsettled regions, absolutely refusing help to the needy. To complete their misfortunes, the refugees brought with them the plague that was then raging in Castile, and the malady carried off not only a great number of them but also a part of the native population, thus doubling the popular hatred of the newcomers. Meanwhile the king, who had undertaken to furnish them with ships in which they might go to any ports they wished, gave orders that they should be furnished only to go to Africa, whence reports had already come of the atrocities perpetrated by the Moors on those who had gone to find asylum on those inhospitable shores. This incomplete fulfilment of the promises made was still further limited by another restriction. The Portuguese fortresses of Tangier and Arzila in Africa were exclusively designated for landing. There the unhappy persons who crossed into Barbary experienced every kind of ill treatment from the military authorities stationed in those garrisons, besides the vexations and insults meted out to them by the captains of the ships on the passage over. A still worse fate awaited those who passed beyond the barriers of these stations. The atrocities and extortions of the Mussulmans surpassed everything the refugees had been able to foresee. The absurd rumor circulated in Spain, that, in order to save their gold, they had reduced it to a powder and swallowed it, had reached Africa, and the Moors killed many of them in order to search their entrails for the riches they had failed to find elsewhere. Such were the cruelties and atrocities of the Mussulmans that a large number of the Spanish Jews preferred to return to the kingdom, there to offer their wrists to the shackles of slavery. Their insatiable avarice, their pride, and the abuse of wealth and power, which they had probably practiced in Spain, just as their

co-religionists did in Portugal, received a dreadful punishment at the hands of Providence, which made the avarice of others and blind fanaticism the instruments of eternal justice—a justice which likewise could not long fail to overtake the Portuguese Jews.²⁰

The sorrows of these unfortunates, who, after being robbed and beaten, saw their wives and daughters dishonored before their very eyes, and their sons made the victims of still more abominable crimes of the brutal and nameless passions of Moorish licentiousness, were far from being at an end. Returning to Portugal they had to undergo, together with those who had remained there, marked with the branding iron of slavery, agonies still more atrocious, if such a thing were possible. Up to this time their domestic relations had been respected, and parental affection had been permitted to find consolation in the caresses of its infant children. Dom João II broke asunder the last chord in their hearts that, up to this time, had remained unbroken. The minor children of the enslaved Jews were taken from their parents and sent to the island of Saint Thomé, the colonization of which had begun a short time before. Without protection or shelter, exposed to the influences of the unhealthful climate, and to the accidents of a semi-barbarous life, most of them perished, principally, it is said, being devoured by crocodiles with which the island then abounded. However, through the natural gifts of their race, those who escaped came to be wealthy colonists of that fertile possession, as its population and culture increased.²¹

But was not the sight of so many misfortunes of some benefit to the Hebrews in tempering with pity the general hatred more than once and so seriously displayed against them? We may be sure it was not. On the contrary, the provisions relating to refugees served only to embitter the feeling. It was precisely to the rich and to the craftsmen, or at any rate to some of them, that permission was granted to settle in the kingdom; that is to say, this permission was granted to the two classes of Jews who, for the reasons we have seen, were most obnoxious, and these increased in number with the accession of new members, the probability being thus enhanced of increased annoyance from the one class, and increased corruption on the part of the other. Then again the example of Castile showed that, contrary to what the king had asserted in the Cortes of 1490, it was possible to dispense with the capital, the activity, and the industry of these

²⁰ Pina, *loc. cit.*; Goes, "Chronologia de Dom Manuel," *loc. cit.*; "Manuscript Memoirs of the Ajuda Library," *loc. cit.* These memoirs furnish many of the details we shall give, and which the chronicler Pina was not at liberty to insert in an official chronicle, though Goes, writing a half-century later, reveals some of the scandals practiced at that time.

²¹ "Manuscript Memoirs of the Ajuda Library," *loc. cit.*

people in the administration of the public treasury and in the common affairs of life. Moreover, after seeing and hearing on all sides and from the mouths of the fugitives themselves the story of the persecutions of which they were victims, the people became accustomed to the idea of similar scenes being repeated in Portugal in the name of the offended religion.

Such was the situation of the Jews and the moral condition of the country in relation to them in the years immediately preceding the death of Dom João II. That event, which took place toward the end of 1495, raised to the throne the Duke of Béja, Dom Manuel, a cousin of the dead king. Being a member of a persecuted family, the new monarch had learned in the days of his adversity to be humane, or perhaps his own character inclined him to an indulgence which, whether as a natural or an acquired tendency, fortune and the habit of reigning were destined gradually to obliterate. One of the first acts of Dom Manuel was to set at liberty a large number of Jews who had been enslaved. This was at once an act of humanity and of justice, but it must have indirectly increased the irritation of men's minds by affecting the interests of those to whom these slaves had been given or sold. The favor which the Jews had found in the eyes of the new monarch was soon to disappear when it conflicted with more important interests. The death of Dom Affonso, son of Dom João II, had brought to the throne the Duke of Béja. The latter felt that he ought to take over the entire heritage by marrying the widow of the dead prince. This marriage, to which he felt drawn by his affections, was also probably encouraged by considerations of ambition. The princess, Dona Isabel, was the eldest daughter of the Catholic sovereigns and their heir presumptive in case of the default of Prince Dom João, the only male representative of the family to carry on the succession to the throne of Castile. By marrying her the king of Portugal saw the possibility of a union of the two crowns of the peninsula upon a single head. When the proposal was made at the court of Castile, the Catholic sovereigns, who had already offered the infanta, Dona Maria, their third daughter, in marriage to the king of Portugal, acceded to the request, but on two conditions: one was a league against France; the other related to the Jewish refugees. In the matter of the league Dom Manuel only half yielded, merely binding himself to send help to Castile in case of an invasion; as to the second condition, restrictions were not possible. The demands of the parents were seconded by those of the daughter. Dona Isabel, who either cordially detested the Jews, or wished to further the paternal policy, requested, as a sort of dowry, the predominance of intolerance. In the marriage contract, which was signed in August, 1497, it was expressly stipulated that all persons of the Hebrew race, who had come to seek refuge in Portugal after having been condemned by the Inquisition, should be expelled within a month. The stipulation was approved by the Portuguese

ambassador. And only after the condition had been fulfilled did Dona Isabel undertake to bring about the desired alliance.²²

These arrangements, however, were not the first symptoms of the policy of extermination which was about to threaten the Jews. Toward the end of October of the preceding year Dom Manuel had sent his cousin, Dom Alvaro, to Castile to ask for the hand of the princess Dona Isabel, after having declined that of Dona Maria, and already at that time the Castilian court wished to use the opportunity to introduce into Portugal the system of intolerance adopted in the rest of the peninsula. It was the intention of Fernando and Isabel that the Jews born in the dominions of their future son-in-law should also be expelled. When the matter was brought before the council, there was a division of opinion, as was natural in a question of such moment. Those who maintained that the Mosaic religion ought not to be tolerated in the kingdom had in their favor considerations of a religious and moral character, in which were mixed many sophisms, not easy of appraisal at that period, and some noteworthy truths. They had, moreover, on their side, to give importance to their vote, the opinion of the people, whose unequivocal manifestations we have already described, and which had been stirred up by grievances more or less exaggerated but none the less real. On the other hand, those who opposed the pretensions of Castile took their stand not only on the true principles of religious tolerance but also on the lofty considerations of public economy and public policy, to which they even added some of religious interest. They insisted that many Catholic nations permitted the Jews to live in their midst; that the pope himself allowed them to live in the states of the Church, and that therefore the religious reasons offered for their expulsion ought not to be valued too highly; that, living among Christians, many of them might open their eyes to the true light, which could not happen if they went over to the country of the Moors, as most of them would do if they were sent out of the kingdom; that, if that were so, they would carry with them to the inveterate enemies of Christianity, the Mussulmans of Africa, with whom the Portuguese were continually at war, not only the industrial arts, especially those that had to do with war, but also the resources of their own wealth, all of which would redound to the detriment of religion; and that, finally, apart from the injury done to the prosperity of the kingdom by the loss of so many useful hands and so large an amount of capital, the loss of revenue that would inevitably result would be grievous to suffer and difficult to remedy.²³ These were weighty reasons, but the

²² Goes, "Chronologia de Dom Manuel," Part 1, chaps. 10, 19, and 23; *Provas da Historia Genealogica*, II, 392, *et seq.*; Mariana, *Historia General*, Book 26, chap. 13; "Manuscript Memoirs of the Ajuda Library," folio 194 v.

²³ Goes, *op. cit.*, chap. 18; Osorios, *De Rebus Emmanuelis*, Book 1, p. 18, edition of 1571.

king, in whose mind they had to contend with his own passions, decided to comply with the wishes of the sovereigns of Castile. In December, 1496, when he was in Muge, where he had gone to spend a few days in hunting, he issued a decree in which all unconverted Jews were ordered to leave the kingdom. As a necessary consequence of the ostensible reasons for such a measure, the law included those Mussulmans who had not been reduced to slavery but were still in Portugal under the protection of the old tolerant institutions. The expelled persons were allowed a period of ten months in which to depart, and those who disobeyed were to be put to death and all of their property confiscated for the benefit of the informant. The king promised to let them carry off freely all they possessed, to have them paid all that was owing to them, to provide them means of transportation, and to do whatever else was needful for the carrying out of the purposes of the government. The decree also set forth in its preamble the reasons for adopting so extraordinary a resolution, reasons which in reality were not sufficient to convince prudent and unprejudiced minds.²⁴

The conditions imposed and accepted in the marriage contract of Dom Manuel completed the effects of the decree published at Muge. This related exclusively to the Jews and Mussulmans who publicly professed the religion of Moses and of Mohammed; the conditions also referred to those Spanish Jews who, having been converted to Christianity, whether willing or by force, had returned to their former errors, and, when persecuted by the Inquisition, had taken refuge in Portugal. By means of this contract Torquemada and his satellites reached their claws across the frontier, and the bull of April 3, 1487, in which Innocent VIII ordered all princes to proceed against the Jews who had fled from Spain, and which all the princes had disregarded,²⁵ received, to a certain extent, the sanction of Dom Manuel. He did not undertake to burn them or to bury them for life in prisons, as the inquisitors wished, but he promised, even if they showed themselves outwardly to be Christians, to expel them from the country.

Up to this point the conduct of the Portuguese court might have been characterized as harsh, anti-economic, subservient, fanatical, as anything short of atrocious and infamous. The expulsion of the Jews might have been a very serious blunder, without being a crime. But when governments, disregarding the counsels of reason, and losing sight of the public interest, allow themselves to be carried away by the passions of the populace or by their own, the moral or material resistance which, to a greater or less extent, they always meet with in such cases, drives them

²⁴ Goes, *loc cit.*; "Manuscript Memoirs of the Ajuda Library," folio 196 v.; "Ordenação Manuelina," Book 2, Title 41.

²⁵ An authentic copy of the bull of April 3, 1487, mentioned by Llorente, *Histoire de l'Inquisition*, IV, 294, and elsewhere, is in Drawer 2, M. 1, No. 32, in the National Archives in the Torre do Tombo.

from one extravagance to another, until they are invariably led to commit the most ridiculous absurdities. That is what happened in this case. Having once abandoned the old traditions of tolerance and set out on the road of persecution, the young prince was soon taking gigantic strides along it. Many Hebrews, both Spanish and Portuguese, who were a bit unsteady in their faith, and who feared the consequences of compulsory emigration, abjured their religion; the majority of them, however, and the New-Christians, real or feigned, who had taken refuge in Portugal were preparing to accept the barbarous exile to which they were condemned, when one of the most treacherous and cruel acts ever conceived by the heart of man unexpectedly turned the affliction of a part of these unfortunates into an unparalleled martyrdom. As a means of conversion the expulsion had not produced the results which were perhaps expected from it, and the economic difficulties it involved, which had not been duly considered, became more and more serious as the time approached for putting it into effect. Fanaticism realized that the blow had partly failed of effect, for the majority of the infidels preferred emigration to asking baptism and to a feigned conversion. The desire to evade the effects of the first error was the subject of serious debates in the council of Dom Manuel, where, as had already happened in the time of Dom João II, there were two opposing parties, to the smaller of which the mind of the king clearly inclined. The question now reduced itself solely to the treatment of the Jews. As to the followers of Mohammed, brothers in faith and race of the African Moors, who could regard themselves as a section of the nations of Morocco, they had friends who could amply avenge the injuries and wrongs done their co-religionists and almost compatriots of a part of the Mussulman peoples. At this point fanaticism recoiled in cowardly fear of reprisals. With the Jews, yes! On them they could feed their fury, for they had neither country nor protection nor friends.²⁶ There were, however, many members of the council who appealed to the rightly interpreted precepts of religion, and to the principles of morality and equity, in their behalf. Among those who most energetically sustained sound doctrines was a former counselor of Dom João II, who continued to serve his successor in that capacity. It was Dom Fernando Coutinho, chief justice, and afterward bishop of

²⁶ Goes, Part 1, chap. 20. Many of the details we give are taken from a curious sentence by Dom Fernando Coutinho, bishop of Silves, then over seventy years of age. This sentence, delivered in 1531, relates to a New-Christian accused of practicing Judaism, whom the bishop ordered to be set free because he was not really a Christian. In the grounds upon which he bases his sentence the aged prelate refers to the deeds of violence which he had himself seen perpetrated in the time of Dom Manuel, and to the opinions which he, as counselor of the same king, had upheld, as had some of his colleagues. A copy of the authentic document is to be found in the *Symmicta Lusitana*, Vol. XXXI, folis 70 *et seq.*, in the Ajuda Library.

Silves. He and the most distinguished members of the council had always agreed in rejecting expedients intended indirectly to compel the Jews to seek baptism. It seemed to these aged jurisconsults that all these persecutions, though in appearance they might be effective, did not serve really to convert to Christianity a single follower of the law of Moses. "Baptism received by force," they said, "may have the appearance of the sacrament, but the essence is lacking, and stabbing a person in the breast is not the only form of violence which invalidates a conversion."²⁷

But these reasons of lofty Christian philosophy, and the arguments deduced from the common law, all proved unavailing in face of the inflexibility of the king, who positively declared that he was resolved to employ every means to compel the Jews to enter the Catholic fold. "I am not concerned with the law," he said. "I have sufficient devotion to do this, and my will must be carried out."²⁸ In view of such an attitude as this, it was impossible for the voice of reason and justice to be heard. It was decided purposely to adopt the most cruel measures, and the king, dissolving the council, which had met at Estremoz, set out for Evora, whence he was to order the resolutions put into effect.²⁹

These events took place in February, 1497. In the early part of April orders were issued that throughout the kingdom children under fourteen years of age of those Jews who had preferred exile to baptism should be taken from their parents and distributed through the various cities, towns, and villages, to persons who were to bring them up in the Christian belief. While this tyrannical provision was being carried out, other direct and no less drastic means were employed to prevent the escape of the victims of fanaticism. Porto, Lisbon, and Algarve having been designated as the places of embarkation, it was now declared that Lisbon would be the only port from which the Jews would be permitted to continue their journey, and it was secretly arranged that not only should sufficient ships be wanting there, but also that such things as were necessary for their equipment and victualing should be inadequate. This course of conduct on the part of Dom Manuel was the very climax of villainy; for, as we have seen, in the law by which the expulsion of the Jews had been ordained within a limited

²⁷ "*Possunt habere . . .*"—"They may have the outward character but not the reality of the sacrament. . . . All men of learning, and I myself, though least learned of them all, have cited many opinions and laws to the effect that there could be no compulsion in accepting Christianity, which desires and asks for freedom and not violence; and, even though it was not with daggers at their breasts, it is enough that there was considerable violence."—"Episcop. Silviens. Sententia," *loc. cit.*

²⁸ "*Dicendo, quod . . .*"—"Saying that he did this because of his piety, and that he did not care for the laws.—*Ibid.*

²⁹ Goes, "Chronologia de Dom Manuel," Part 1, chap. 20; "Manuscript Memoirs of the Ajuda Library," folios 197 and 219 *v. et seq.*

time and on pain of death and confiscation, the government had solemnly undertaken to provide every facility in order to make the fulfilment of this cruel decision possible. In the face of such arguments as these, it was impossible that the followers of a religion which for centuries had been the only true one, and from which Christianity itself had sprung, should not have their eyes opened and be convinced of the superiority of that faith, whose adherents so lightly disregarded its maxims of tolerance, freedom, and justice!³⁰

Before the orders had been sent out for the taking of the Hebrew children by force from the bosom of their families, certain rumors had gone abroad with regard to this unparalleled outrage. The news spread into every corner of the country, and the threatened Jews, in the midst of their terror, began to take such slender precautions as the exigencies of time and circumstances permitted. But the storm was not long in breaking. It is easy to imagine how the cruel commands of Dom Manuel would be carried out, considering how strong was the popular ill will against that unfortunate race. The cries of mothers, from whose arms their babes were torn, the sobs, the feelings of despair of parents and of brothers and sisters, the struggles of the boldest of them, the useless supplications and tears of the more timid—all these things turned the kingdom into a kind of theater in which was being acted a drama, fantastic and diabolical beyond belief. The sternest characters and the most ardent spirits among the Hebrew population, carrying their resistance to the pitch of madness, preferred to kill their children, to strangle them, or to drown them in the wells, rather than to hand them over to the royal officials. From this struggle between two opposing forms of fanaticism, the all-powerful hand of the king brought about the murder of the children. Meanwhile, in many places, the sight of such deeds of cruelty inspired compassion in the hearts that hate had not already turned to stone. There were some among the Christians who, remembering the charity of the gospel, concealed large numbers of babies that were about to be torn from the arms of their parents, and who, thus, by an act of sublime pity, exposed themselves to the wrath of the king. But such impulses of generosity could not have been of frequent occurrence, and there were still left more than enough victims to glut the cruelty of tyranny. "I myself," said a venerable prelate more than thirty years later, "saw parents with their heads covered by their hoods, as a sign of supreme grief and mourning, taking their children to the ceremony of baptism, protesting and calling God to witness that they, both parents and children, wished to die in the law of Moses."³¹ The first orders, which

³⁰ Goes, *loc. cit.*, "Manuscript Memoirs of the Ajuda Library."

³¹ "*Patrem filium. . .*"—"A father leading his son to the font, with head covered in token of great sorrow and mourning, protesting and calling God to witness that they wished to die in the law of Moses."—"Episcop. Silves Sententia," *loc. cit.*

limited that kind of rape to children under fourteen years of age, were extended, either by secret suggestion or by excess of official zeal, and were applied to youths and maidens up to the age of twenty years.³² In the course of this persecution, the Jews began to realize the hard lot that awaited them. They were to be compelled, whether or no, to accept baptism. Those who had the means or the opportunity of secretly embarking did so, regardless of all sacrifices. In that way a large number of them succeeded in escaping the last of the hardships that had been prepared for them.³³

While these things were going on, the fatal date approached, and the heads of the principal Hebrew families that had not been able to leave the country secretly begged the king to fulfil the solemn promises he had made of his own accord in the law of expulsion, by ordering ships to be furnished, or at least that he would permit them to be chartered at their own expense. The government finally replied that they should all go to Lisbon, where the promises would be fulfilled. They did so. According to contemporary records, more than twenty thousand persons successively entered the Estâos.³⁴

Those whose children the royal bailiffs had not yet seized here saw them torn from their arms, regardless of sex or age.³⁵ Fanaticism had brought to that meeting place the families that had not been able to flee, there to celebrate a feast worthy of cannibals. In a kind of frenzy, after forcibly baptizing the Hebrew youths, they passed on to the mature and to the aged, and those who resisted were dragged to the baptismal font by the hair of the head.³⁶ But the greater part of these unfortunates, threatened on the one side by death, to which the law condemned them if they

³² "And as it was the intention of the king to make all of them Christians, as was done later, they took many of the age of twenty years."—"Manuscript Memoirs of the Ajuda Library," folio 220.

³³ *Ibid.*

³⁴ Goes (*loc. cit.*) says that there were twenty thousand persons assembled on this occasion in the Estâos. The Estâos was a palace that stood about where the D. Maria II theater now stands. The statement that twenty thousand persons met and were sheltered there is a physical impossibility. The story of Goes is absurd, for, though horrible, it conceals half the truth. The manuscripts in the Ajuda Library agree with Goes that twenty thousand came there; but in disclosing the picture of the atrocities then perpetrated, a picture on which the sentence of the Bishop of Algarve threw a sinister light, they enable us to understand how it was possible to go on receiving there a large number of persons.

³⁵ "They there went on taking the other children without regard to age."—"Manuscript Memoirs of the Ajuda Library," *loc. cit.*

³⁶ "And finally from the sons they went to the parents and made them all Christians."—*Ibid.* "I saw many dragged to the font by the hair."—"Episcop. Silves Sententia," *loc. cit.* Abraham Usque, Isahak Abarvanel, Rabbi Juhudá Hayat, and Rabbi Abraham Zacuto relate these facts as eye-witnesses.—*De los Ríos, Estudios sobre los Judíos d'España*, p. 211.

did not depart from the kingdom, and on the other by the obstacles raised by the legislator that rendered obedience impossible, bowed their heads and allowed themselves to be carried away by the whirlpool. Out of more than twenty thousand persons, only seven or eight heroic characters, whose names time has hidden, resisted, unterrified, to the last. Tyranny recoiled before a constancy worthy of a better cause, and the government ordered that these seven or eight should be furnished a ship to carry them to Africa.⁸⁷

The sacrifice was consummated. It was not long before remorse began to gnaw at the heart of the king of Portugal. The deeds just done were not only an affront to Christianity, but they were also an absurd protest against the policy of tolerance that had prevailed in the country for four centuries. Not only the Spanish Jews, but also the richest and most industrious part of the Portuguese population, had either secretly fled or had suffered irreparable losses in the various phases of persecution through which they had passed. Humiliated and oppressed, the Jews were now exposed to the popular ill will, which would not be slow in accusing them of a deed which reason could not condemn, but which was regarded as criminal in the sight of men, that is, a secret return to the rites of the religion they had been publicly forced to abandon. Dom Manuel, without remedying the evil he had done, sought to mitigate it. On May 30, 1497, a decree appeared in which important provisions were made in behalf of the converts. The magistrates were forbidden for twenty years from inquiring into their religious conduct, in order that they might have time to forget their old beliefs and to be confirmed in the Christian faith. This was an open confession that these unhappy people had been forced to change their religion by violent means, and a recognition that, inasmuch as they had been given only a few days in which to accept baptism, they needed twenty years to be convinced of its efficacy. It provided also that, at the end of that long period, the New-Christian accused of Judaizing should have his case tried in the manner adopted with regard to other crimes which were tried in the civil courts; that is to say, that the names of the witnesses and their depositions should be made known to him, in order that he might be able to refute them; and, furthermore, the charges must be brought within twenty days after the commission of the offense, otherwise they would not be received. It was ordained that, if the defendant were condemned to loss of property, his Christian heirs should receive it, and not the exchequer; that is, of course, if the crime were of a purely religious character. The king promised that there should never again be any legislation concerning the Jews as a distinct race.

⁸⁷ "Only seven or eight rude men were stubborn, to whom the king ordered a ship given to take them over."—"Manuscript Memoirs of the Ajuda Library," *loc. cit.*

The use of Hebrew books was permitted to newly converted physicians and surgeons, or to such as should be converted in the future, but not to those who took up these sciences only after they were converted. That series of measures ended with a general amnesty for all the converts with the restriction that it did not apply to those who might come from abroad—a restriction evidently referring to the Spanish refugees persecuted by the Inquisition. These latter were sacrificed by Dom Manuel as a holocaust to the darling of his heart, the daughter-in-law of Dom João II, the king who had destroyed his own family.³⁸

Notwithstanding these demonstrations of indulgence, with which an attempt was made to disguise the horror of the violence perpetrated, the situation of the victims did not cease to be one of great oppression. Though they were followers of the Mosaic law, they were obliged to feign fulfilment of the duties of Catholicism in the conduct of their outer life, and only in solitude, in the most retired parts of their homes, or in the obscurity of the night, and in a low voice, could they call upon the God of Israel. The letter of the law intended to protect them showed that the author of it himself did not believe in the genuineness of their conversion, and neither could anyone else. Thus in the minds of the people the old hatred, springing in great measure from material causes, was magnified by the very reasonable suspicions that Christian prayers and rites, uttered aloud and openly practiced by the converts, were mere blasphemy and mockery. Far from diminishing, therefore, this hatred was bound to grow. On the other hand, the Inquisition, as it had been established in Castile, had its partisans in Portugal, and fanaticism was sure to be thinking seriously of securing similar institutions for the kingdom. It was to the interest of fanaticism that any acts of Judaism practiced should be made known, and that the aversion of the Old-Christians to the new should be brought to a climax. For twenty years the law had shielded the latter from individual persecution; but what it could not do was to prevent public opinion from being prepared to look upon it in the future as being just and proper that they should be punished for Judaism. Besides, now that they were considered legally as members of the Catholic Church, they were subject, if they transgressed in

³⁸ We have followed the original of the decree (Drawer 15, M. 5, No. 16, in the National Archives) dated May 30, 1497. The transcript found in the "Corpo Chronologico" (Part 1, M. 2, No. 118), which was published by J. P. Ribeiro (*Disser-taçõe Chronologicas*, Vol. III, Part 2, p. 91) varies in date and also in the language. That which was presented by the Jews in Rome, translated into Latin, varies by way of omissions (*Symmicta Lusitana*, Vol. XXXI, folio 88). It is singular that both of them lack the restriction as to the amnesty found in the original. That restriction, however, is in keeping with the clause in the marriage contract of Dom Manuel, by which he binds himself to expel all the Jewish refugees persecuted by the Inquisition. This clause must already have been proposed and accepted at the time when the decree of May 30 was published.

matters of faith, to the canonical and civil penalties for heresy. Thus, with the example of the rest of the peninsula before them, it was easy to foresee, in the not distant future, the establishment of the Inquisition in Portugal.

The consequences of this state of things were obvious. Their first terror past, the more prudent of the New-Christians began seriously to think of making preparations to avoid ultimate ruin. But the only sure means to save their lives and fortunes was to turn their property into money or merchandise which they could gradually send out of the country, and then go with their families to Italy, Flanders, or to the Orient, where they would find a home and religious tolerance. As it turned out, the desire to extricate themselves too quickly from an intolerable situation got them into new troubles. The wealthy ones, by selling their landed property or imprudently realizing on their merchandise and sending their funds out of the kingdom in the form of bills of exchange, aroused the suspicions of the government, which was anxiously observing the effects of the violent proceedings already taken. It was thought necessary to obviate the evil by other deeds of violence; but after an enforced conversion there were not many means to fall back upon. Two proclamations were issued, dated April 21 and 22, 1499, forbidding both natives and foreigners to sell bills of exchange to the New-Christians for money or for merchandise, and requiring that those already sold should be reported within eight days; ordering that no one was to buy landed property from them without a special royal permission; and, finally, that no new convert was to be allowed to leave the kingdom with wife, children, and family without the express permission of the king. These various provisions were to be obeyed on the pain of confiscation.³⁹ Thus tyranny bred iniquity. Upon the conversion of the Hebrew race, which had, up to that time, been regarded as a society apart, the civil laws which regulated their rights and duties had ceased to be operative, and the Jews had come naturally, and also by virtue of special provisions, under the jurisdiction of the common law. Yet within two years the government found itself constrained to revoke the law and to place this class of persons in an almost servile condition, by depriving them entirely of one of the most important liberties enjoyed by the rest of the citizens.

These provisions brought about a contest between the watchfulness of the government and the shrewdness of the Jews, a contest in which the former was more than once to be defeated. Over and above the various expedients to which the New-Christians could generally have recourse, if they wished to evade the regulations laid down in the proclamations of

³⁹ Book 16 of the "Remessa de Santarem," folio 84, in the National Archives; Figueiredo, *Synopse Chronologica*, I, 148, 149.

April 20 and 21, there was, in particular for the wealthy, the corruption of public officials or of other persons, who, in exchange for ample recompense, and in defiance of the law, would run the risk of helping them to escape. Attempts of this kind, however, were not always successful, and individuals were brought to trial for carrying Hebrew families from Algarve to Barbary.⁴⁰ One caravel laden with New-Christians, which set out from Portugal for Africa, was so storm-tossed that it put in at the Azores, and the luckless passengers were made prisoners, condemned to slavery, and given as a present by the king to Vasqueanes Corte-real.⁴¹ Meanwhile certain prelates thought they were fulfilling the duties of the pastoral office by inquiring into the conduct of these men, who apparently belonged to their respective folds, while others actually did fulfil their duty by trying to instruct them and to convince them, the only kind of proselytism in accordance with the truth of the gospel, and which, fortunately, Providence often blessed with the fruits of sincere conversions.⁴²

All these vexations and acts of tyranny, however, satisfied neither fanaticism nor the popular rancor, which was not allowed to die. If, on the one hand, the converts sought to evade the provisions intended to chain them to the martyr's stake and to keep them in a land which had become for them a place of exile, on the other hand, the ill will of the people showed no respect for the instructions contained in the decree of May 30, 1497, by which a pretense was made of attenuating the effects of a cruel folly, and the magistrates themselves at times took action against persons suspected of secretly practicing the rites of Judaism. A curious document has come down to us dealing with this subject. At Cintra on Christmas Day, 1500, a boy saw four children of New-Christians pass by, carrying a light. He followed them and saw them enter a house in the rear of the royal palace. Entering behind them a little later, he found that they had hung a curtain on the wall, and had placed before it a head cut from an image, and in front of that were two lighted wax tapers. He went to his father and told him what he had seen. The seriousness of the case compelled the latter

⁴⁰ "A certain Gonçalo of Loulé was found guilty of taking them across from Algarve to Larache."—"Manuscript Memoirs of the Ajuda Library," *loc. cit.*

⁴¹ *Ibid.*

⁴² "*Quin ordinarii . . .*"—"Bishops, at the ordinary visitation, admonished the weak in the faith, and, if necessary, punished them," said the New-Christians, referring to this period, in the memorial presented at Rome in the time of Paul III against the Inquisition, which precedes the documents contained in the Vols. XXXI and XXXII of the *Symmiecta Lusitana* in the Ajuda Library. In some instructions we shall have to use further on, and of which a fragment is published in Monteiro's *History of the Inquisition* (Part 1, Book 2, chap. 43), this proceeding of the bishops in the last years of the fifteenth century and the first years of the sixteenth is referred to.

to report the matter to a justice the next day. That morning a friar had preached at São Pedro de Penaferrim, who, it seems, had piously inveighed against the Jews, and, as a proof of the wickedness of that abominable race, had related that at dawn on Saint Thomas' Day six or seven bare-footed New-Christians had been coming out of the palace without its being known where they were going, and the report of this extraordinary incident had immediately spread all over the city. This information, coming, as it did, from the pulpit, was no less ridiculous than that about the four children. Yet the matter was thought important enough to be inquired into judicially. Evidently a malevolent intention lurked beneath this absurd charge, and the New-Christians of Cintra sought the protection of the superior courts. It was not long before an order was issued by the king directing that the trial, which had already been opened, should be transferred to one of the judges of the privy council. The matter having been looked into, the tribunal severely reprimanded the Cintra judges, not only for having called unworthy witnesses, but also for having acted contrary to the law, and warned them that a repetition of such conduct would be severely punished.⁴³

This incident and many similar to it which we shall meet with in the course of our narrative seem to confirm the allegation made years afterward by the New-Christians at Rome to prove the persecutions of which they had been victims since the reign of Dom Manuel through the hatred of the populace, stirred up by the sermons of the friars, especially of the Dominicans.⁴⁴ That the majority of these pseudo-Christians secretly followed Judaism is more than probable; indeed it is morally certain; but it cannot reasonably be believed that it was easy for their enemies to discover the fact. But calumny was bound to do its work, and the very mystery with which the Jews had to surround themselves, with the help of the imagination, gave a sinister character to the Mosaic rites which, as long as they were permitted and publicly performed, were, in reality, matters of indifference to the Christian population. The more absurd the stories told about these things the more they were believed by the common people, who always prefer the marvelous to the true. The insinuations of fanaticism accordingly worked all the more easily on prejudiced minds, and their irritation was not long in manifesting itself in a terrible manner.

Lisbon, not only on account of its relative size, but also on account of what had happened there in 1497, must have contained a larger number of Hebrew families than any other city in the kingdom. For that reason the

⁴³ Original document in the "Corpo Chronologico," Part 2, M. 3, Document 75, in the National Archives.

⁴⁴ "*Maximé fratres . . .*"—"Especially the friars, and more particularly those of the Order of the Preachers."—"Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 4.

various causes of popular excitement against the New-Christians worked with greater violence here, while even the vigilance of the magistrates and of the superior courts, which obstructed more successfully the excesses of hatred, did not destroy it, but concentrated it and gave it new force. As a dormant volcano that, after rumblings and quakings and the ejection of volcanic materials through a few openings, at last bursts into violent eruption, and hurls torrents of lava and smoke from every part of its black crater, so the mob's ill will, silent at first, began to show itself in insults, and, when repressed, burst forth in scenes of atrocity. The symptoms of the future eruption were already beginning to appear. On the day of Pentecost, May 25, 1504, certain converts were in Rua Nova, at that time the principal street in Lisbon, when suddenly they found themselves surrounded by a crowd of boys, none of whom was more than fifteen years of age. The crowd began to shower them with scoffs and gibes. One of the less patient of the insulted persons drew his sword and wounded five or six of the aggressors. A riot broke out, but the chief of police (*governador da justiça*), arriving with his officers, succeeded in suppressing it. Forty youths were arrested and brought to trial. The examination that was held proved the innocence of the persons assaulted. In spite of the tender age of the defendants, the court condemned them to be flogged and banished for life to São Thomé. At the request of the queen, however, the king remitted the latter part of the sentence.⁴⁵

While persons of Hebrew origin were thus exposed to the insults of the rabble, the Spanish Inquisition, consumed by an insatiable thirst for blood, was endeavoring to lay hands on those who, when persecuted by it, had sought refuge in Portugal. But bad as the situation of the Jews may have been, the refugees were at least escaping the prolonged agonies of imprisonment, torture, and death by fire. Torquemada had been succeeded by D. Diego Deza as inquisitor-general, and the intolerance and fanaticism of the furious Dominican found in him a worthy representative. Deza, while no less cruel than his predecessor, surpassed him in activity.⁴⁶ The facility with which the frontiers between the two countries were crossed often caused the miscarriage of the designs of the persecution, and the sentences of the tribunal of faith were not enforced, or they were merely carried out in that farcical form, at once bloodthirsty and ridiculous, called burning in effigy. It grieved the souls of the inquisitors to see so many victims slipping through their hands; they labored hard, therefore, to stop it. In response to their complaints the court of Castile resolved to enter into negotiations on the subject with Portugal. Perhaps it was in virtue of the previous agreements that in 1503 Dom Manuel had issued a

⁴⁵ "Manuscript Memoirs of the Ajuda Library," folio 202 v.

⁴⁶ Llorente, *Histoire de l'Inquisition*, Vol. I, chap. 10, art. 1.

proclamation for the evident purpose of preventing the entry into the country of Jews who were being persecuted by the Inquisition. In this document it was ordered, under grave penalties, that no Castilian should be allowed to cross the frontier and settle in Portugal without showing that he was not under indictment for crimes against religion in his own country.⁴⁷ These obstacles, however, which were sought to be raised against the immigration of the persecuted, were nominal rather than real. For however severely the Portuguese government treated the refugees, that severity was preferable to martyrdom. And so the emigration continued,⁴⁸ and to such an extent that the king of Castile, upon the instigation of the inquisitors, demanded the surrender of the fugitives in accordance with the treaties between the two countries for the extradition of criminals. Either because the impulses of humanity had prevailed in the counsels of Dom Manuel, or because expediency so suggested, the Portuguese government refused to accede to the request, on the ground that these persons were not included in the express provisions of the treaties. Dom Manuel, however, offered as an alternative to let the agents of the Inquisition come to Portugal and there try them judicially, where it was just as easy to bring them to justice. Recourse was then had to the bull of April 3, 1487, whereby it was ordered that all princes should deliver up to the Inquisition the Spanish Jews who had taken refuge in their respective states, a bull whose inhuman provisions Dom João II had entirely disregarded. It seems that in this matter Dom Manuel followed the example of his predecessor; for the efforts of the Spanish inquisitors and of their agent, the fanatical king of Aragon, do not seem to have met with success.⁴⁹

These negotiations and their failure show that the intolerant tendency of the court of Portugal had abated. But this was not so with the people, stirred up as they were by monastic fanaticism and by long-standing hatred. The fire was smouldering beneath the ashes; the slightest incident would fan it into flames; and that incident was not long in appearing.

It was in the spring of 1506. The irregularity of the seasons in the two preceding years, an irregularity that was prolonged into the year following, had resulted in a famine. In those times a lack of food usually brought with it a companion scourge which was then of common occurrence. That was the plague. The symptoms of this terrible evil had already appeared at Lisbon in the autumn of 1505. The court, fleeing from the

⁴⁷ We have not been able to find anywhere the proclamation (*alvará*) relating to this subject; but it is referred to in a circular of October 12, 1515, of which there is a rough draft in Drawer 2, M. 1, No. 30, in the National Archives.

⁴⁸ *Ibid.*

⁴⁹ Letter of Fernando V to Dom Manuel of July 12, 1504, accompanying a copy of the bull *Pessimum genus* of Innocent VIII, Drawer 2, M. 1, Nos. 32 and 33, in the National Archives.

peril as it drew near, moved in succession to Almeirim, Santarem, and Abrantes. From the last-named place the king crossed the Tagus and started to Béja, where his mother, the Infanta Dona Beatriz, then lived. When he arrived at Aviz he was surprised by news as alarming as it was unexpected. A popular rising against the New-Christians had broken out in Lisbon, and had been marked by horrible deeds. The most urgently needed measures were at once taken, and Dom Manuel, passing rapidly through Béja, went on and took up his residence in Setubal, determined to proceed against the inhabitants of the capital with the utmost severity. Such are the facts which, exciting the indignation of the king and demanding exemplary punishment, resulted from the inquiries which were made as soon as it was possible to repress the uprising and to restore peace.⁵⁰

Since January the plague had greatly increased in intensity in Lisbon, and early in April the epidemic had made such progress that the mortality amounted on some days to one hundred and thirty persons. Public prayers were offered up, and the fifteenth day of the month was appointed for a penitential procession, which, starting from the church of Saint Stephen, entered the church of Saint Dominic, where a solemn service of prayer was celebrated. While the prayers were being said the people implored aloud divine compassion. On the altar of what was called the Chapel of Jesus there was at that time a crucifix, and beside the image of the Savior a little receptacle used for containing the consecrated host. Carried away by religious exaltation, someone believed he there saw, and perhaps he did see, a strange light. Immediately the rumor of a miracle spread. Whether it was that the Dominicans, taking advantage of the illusion, artificially brought about the supposed marvel, or that credulity, enhanced by the terrors of the plague, ever more and more predisposed the imagination of the populace to see that strange light, certain it is that on several succeeding days someone claimed to have seen it clearly. The prevalent opinion, however, was that this marvel was nothing but a fraud, and even many of the most credulous believers suspected that the fact existed solely in lively imaginations.⁵¹ For four days belief in this wonder gained strength. The following Sunday at noon, after the celebration of divine service, the people were examining the supposed marvel, about the authenticity of which there were suspicions in the minds of many of the spectators. Among these was a New-Christian, who let slip certain imprudent expres-

⁵⁰ Goes, "Chronologia de Dom Manuel," Part 1, chap. 102; "Manuscript Memoirs of the Ajuda Library," folio 204.

⁵¹ "Which [miracle] in the opinion of all was fictitious."—"Memorias Avulsas dos Reinados de Dom Manuel e Dom João III" (Contemporary manuscripts), Vol. II of Miscellaneous, folio 120 v., in the Ajuda Library. "Or the imagination of the devout led them to see a light in the side of the crucifix."—"Manuscript Memoirs of the Ajuda Library," folio 219. Goes (*loc. cit.*) says the same, but less clearly.

sions of incredulity about the miracle. The indignation of the believers, probably excited by the authors of the imposition,⁵² spread to the crowd. The wretched blasphemer was dragged to the porch and murdered, and his dead body burned. The riot attracted a still larger crowd of people, whose fanaticism a friar inflamed by violent declamations. Two other friars, one with a cross and the other with an uplifted crucifix, then came out from the monastery, shouting "Heresy, heresy!" The tiger-like spirit of the people expressed itself in a roar that soon resounded throughout the entire city. The sailors of many of the foreign ships anchored in the river soon joined the rioters. Then followed a long drama of anarchy. New-Christians walking in the streets unwarned were either killed or badly wounded and dragged, some of them half dead, to the fires that were quickly started in the Rocio and on the banks of the Tagus. The judge of the criminal court, who with his officers had attempted to quell the riot, was stoned and pursued, and would have been burnt alive in his own house if a ray of pity had not for a moment touched the hearts of the furious mob that was pursuing him, on seeing the tears of his dishevelled wife, who begged for pity. The two friars infuriated the crowds with their cries,⁵³ and led them with an infernal activity in their awful work. The cry of the revolt was: "Burn them!" Every New-Christian they found was dragged through the streets and thrown into the fires on the Ribeira or in the Rocio. In the latter square alone three hundred persons were burned that evening, and at times there were burning in the two places at once groups of fifteen or twenty persons.⁵⁴ The intoxication of this gang of cannibals did not subside with a night's rest. On Monday the scenes of the previous evening were repeated with even greater violence, and the cruelty of the mob, incited by the friars, took on still more hideous forms. More than five hundred persons had perished the previous evening; on this day, the number exceeded a thousand. As usual, fanaticism had gone hand in hand with all the evil passions, hatred, cowardly revenge, calumny, lust, and robbery. Deep-seated enmities found in this popular uprising an opportunity favorable for atrocious vengeance, and many Old-Christians

⁵² The contemporary manuscript memoirs expressly say that on this day the *miracle was shown by certain friars*. The narratives vary in regard to the expressions of the doubter. According to the "Manuscript Memoirs of the Ajuda Library," he asked: "*How could a piece of dry wood work miracles?*" According to Goes he said "*that it looked to him like a candle placed at the side of the image.*" This version seems to us the more reasonable, for naturally such was the fact.

⁵³ One of these friars, called Friar João Mocho, was a Portuguese; the other was Friar Bernardo, an Aragonese. Azenheiro, "Chron., p. 333, and the "Manuscript Memoirs of the Ajuda Library," folio 219.

⁵⁴ "Three hundred persons were burnt in the Rocio on this occasion."—"Manuscript Memoirs of the Ajuda Library," *loc. cit.* "And they brought from fifteen to twenty New-Christians in flocks to the fire."—*Ibid.*

were given to the flames along with the Jewish neophytes. Some succeeded in saving themselves only by showing publicly, and in the presence of the assassins, that they were not circumcised.⁵⁵ The houses of New-Christians were broken open and entered. Men, women, and the aged were murdered; children were torn from their mothers' breasts, seized by the feet, and their brains dashed out against the walls of the rooms. Afterward everything was sacked. Here and there in the bloodstained streets piles of forty or fifty corpses were to be seen awaiting their turn in the fires. Churches and altars gave no protection to those who had taken refuge in their shadow, clinging to the shrines and to the images of saints. Maidens and married women, driven from the sanctuaries, were violated and then thrown to the flames.⁵⁶ Public officials who in any way tried to stem this torrent of atrocities and infamies barely escaped by flight from the irresistible onrush of the infuriated mobs; for, besides the crews of the foreign ships, more than a thousand men of the lowest classes were drunk with this butchery. At last, night fell and covered with its mantle this dreadful sight, which was renewed on the following day. But the hecatombs were already less numerous, for the supply of victims was running short. The Old-Christians who still believed in God and in humanity had taken advantage of the weariness of the murderers to save a large number of the unfortunates by hiding them, or by helping them to escape, the latter method useless to a certain extent, for many of them were assassinated in the surrounding villages. By Tuesday evening two thousand persons had been put to death.⁵⁷ In proportion as there were no more houses to be robbed, women to be violated, or blood to be spilled, the mob cooled down, and the sons of Saint Dominic, retiring to their lair, rested from the labors of that day.

But it was not alone the weariness and the lack of victims that disposed the crowds to moderation. The chief justice, Ayres da Silva, and Dom Alvaro de Castro, governor of the civil court, had by this time approached Lisbon with the officers of justice and an armed force, and, halting near the walls adjoining São Vicente de Fóra, had issued a proclamation requiring all citizens to take up arms and join the public forces under pain of loss of their property. The inhabitants of the capital who had

⁵⁵ "And on perfectly good Christians themselves some wanted to avenge wrongs they had received from them."—"Memorias Avulsas," Vol. III, folio 121. "Some Old-Christians . . . convinced them by showing that they were not circumcised."—"Manuscript Memoirs of the Ajuda Library," folio 219.

⁵⁶ "And having satisfied their unbridled desires they threw them in the fires."—"Memorias Avulsas," Vol. III, folio 121.

⁵⁷ In their statement to Paul III (*Symmicta Lusitana*, Vol. XXXI, folio 5) the Jews put the number of dead at more than four thousand; but the memoirs of the time and the historians are agreed in placing it at two thousand.

taken no part in the massacre, and perhaps some of the assassins themselves, hastened to present themselves at the camp near São Vicente. Thus fear must have cooled the ardor of fanaticism. A few friars, compromised perhaps in these dark deeds, sought to mediate between the rabble and the public forces. The magistrates made an agreement with them that, if the revolt came to an end, the guilty ones should go unpunished, a promise in violation of all the laws of the moral world, unless indeed it were the only means of restoring order and facilitating the punishment of the guilty parties.⁵⁸

Meanwhile the prior of Crato and the baron of Alvito set out for Lisbon by the king's orders and with ample powers. Calling together the criminal judges, these two royal commissioners ordered strict investigations to be made. It was not long before the most important of the criminals were arrested. After being summarily tried, between forty and fifty were promptly hanged, some of them having their hands cut off and others being quartered.⁵⁹ The two Dominicans who had headed the mob were also arrested and taken to Setubal, and thence to Evora, where, after being deprived of their orders, they were condemned to be garroted and their dead bodies to be burned. The other Dominicans of Lisbon were expelled from the convent, which was turned over to the administration of the secular clergy, the friars being forbidden at the same time to return to the capital, a proof that they were either directly or indirectly concerned in the crime. Finally a legislative enactment, published on May 22, condemned Lisbon to lose a great part of its ancient privileges, on account of the indifference or cowardice with which its inhabitants had permitted the criminal behavior of the lower classes. Those who had taken any part in the riot, aiding or abetting it in any way, were condemned to lose all their property, which went to the exchequer,⁶⁰ and from the court of aldermen (*casa dos vinte quatro*) was taken away the prerogative of sharing through its representatives in the deliberations of the municipality. In vain the corporation sent one of its members to the king to implore mercy for the capital. Dom Manuel informed them that it was necessary to give the world that example of severity against the atrocities committed by the wicked, and also against such negligence on the part of those who were not wicked. So the law of May 22 was put in force.⁶¹ But the mani-

⁵⁸ "Manuscript Memoirs of the Ajuda Library," *loc. cit.*; Goes, *loc. cit.*

⁵⁹ Acenheiro, *loc. cit.*; Goes, *loc. cit.* The "Manuscript Memoirs of the Ajuda Library" say that the persons condemned numbered forty-six or forty-seven; of these twenty-three were from Lisbon and fourteen were from the immediate neighborhood.

⁶⁰ Goes, Part 1, chap. 103; Acenheiro, *loc. cit.*; "Manuscript Memoirs of the Ajuda Library," *loc. cit.*; Figueiredo, *Synopse Chronologica*, I, 162 and 163.

⁶¹ Minutes of the reply given by the king to the corporation of Lisbon, Drawer 2, M. 2, No. 61, in the National Archives.

festations of the monarch's indignation began to abate at the end of five months, and it was precisely in that provision in which he ought to have shown most inflexibility that the king began to give way. He ordered the convent of Saint Dominic in Lisbon to be restored to the order of the Dominicans, with the restriction that the friars who were living in it on the occasion of the riot should not return to it.⁶²

The means, both direct and indirect, that had been employed to bring about a false and sacrilegious conversion of the Jews, and to prevent their leaving the kingdom, had been, from every point of view, a piece of barbarous tyranny; but when the results of such an atrocious system found their consummation in the scenes of extermination that we have just described, it was impossible that remorse should not wring the heart of Dom Manuel and of those who approved or advised this anti-Christian policy. Evidently fanaticism, or rather hypocrisy, was not satisfied with oppression and sacrilege; it wanted spoliation and blood. The Dominicans had spoken with a fearful eloquence; they had held aloft the symbol of redemption and the image of the Savior to shelter in the shadow of that image robbery, outrage, and murder. Religious and moral ideas were all topsyturvy. Forcibly to retain the pseudo-New-Christians in Portugal was deliberately to renew the period in which the martyrs were torn to pieces by wild beasts in the Roman amphitheaters. Only the actors had changed. Nothing was more natural, therefore, than that the opinions of the king of Portugal should have changed. The piteous cries of the proscribed race were heard at last. The decree by which it had been ordered that no New-Christian should leave the kingdom without the royal permission, that had prohibited their selling their landed property, and that forbade their converting their funds into bills of exchange, was revoked. They were given full permission to leave the country, permanently or temporarily, to go and come, to trade on land or by sea as they saw fit, to sell their property and to send it away in the form of money or of merchandise, provided it went to Christian countries and in Portuguese ships. At the same time the monarch promised never again to promulgate exceptional laws for those who continued to live in Portugal. Those who had fled from the kingdom in spite of the prohibition might return without fear of punishment, and the sureties required of others lest they should flee were forthwith canceled. In fine, Portuguese subjects who belonged to the Jewish race were put on the same footing with others, and the common law was made applicable to them in its entirety and for every purpose.⁶³ Besides this, the privileges that for twenty years had been conceded to neophytes forcibly converted in 1497, especially that of not having their religious conduct in-

⁶² "Manuscript Memoirs of the Ajuda Library," *loc. cit.*

⁶³ Legislative enactment of March 1, 1507, printed with the Law of May 25, 1773.

quired into, were revived anew, solemnly promulgated, and put in full force, to be complied with to the letter during the remaining ten years.⁶⁴

These demonstrations of good-will and repentance for past acts of tyranny were a relief for the New-Christians in the midst of so many sorrows, but they also aroused illusory hopes for the future, leading them to believe that the intolerance and brutal hatred of the people stirred up by the friars would compel public authorities to protect them with redoubled zeal. They persuaded themselves that the opinion of the common people, deep-rooted in the memory of long-standing grievances and kept alive and spread by the powerful influence of the clergy, might be overcome by their ideas of the judicious policy which Dom Manuel had adopted in a moment of indignation and horror. Influenced by every sentiment that attaches man to his native land, they were undoubtedly disposed not to abandon the country. As merchants, manufacturers, landowners, and members of the scientific professions, forming in fact the bulk of what we call today the middle class, their interests were bound to suffer severely from expatriation, and no other race has ever shown such endurance and such courage in facing all manner of risks in order to save or increase their fortunes as the Hebrew race. And so a disposition that was virtually irresistible led the Portuguese Jews, as well as the Spanish ones who had adopted Portugal as their country, to sleep in the crater of a volcano, which they probably supposed was about to become extinct, because it had quieted down after a violent eruption. Disdaining the liberty granted them in a passing mood of tolerance, and thus sacrificing the future to the transitory advantages of the present, none, or almost none, of them left the kingdom.⁶⁵ But almost immediately signs of the popular ill will began to reappear in isolated attacks upon some of them in spite of the violent efforts made by the magistrates to prevent such manifestations.⁶⁶

Still it may be said that the period from 1507 up to the death of Dom Manuel in 1521 was comparatively a time of peace for the New-Christians. The protection afforded the neophytes by the government was effective, and that protection was extended even to the refugees from other parts of the peninsula. The Spanish Inquisition did not fail to request from time to time that they should be turned over to it, and, as we have seen, to have the civil power intervene in the matter—a useless intervention, because the Portuguese government nobly repelled these claims which would have

⁶⁴ Provision of March 13, 1507, in Monteiro's *History of the Inquisition*, Part 1, Book 2, chap. 43, and translated into Latin in the *Symmicta Lusitana*, Vol. XXXI, folio 88.

⁶⁵ "*Nemo ex eisdem . . .*"—"Not one of these wretched men departed from those kingdoms with wife and family."—"Memoriale, etc.," *Symmicta Lusitana*, Vol. XXXI, folio 7 v.

⁶⁶ *Ibid.*

tended to dishonor it by a breach of hospitality. An incident that occurred in 1510 shows what an enlightened policy predominated at the time in the councils of Dom Manuel. The Inquisition of Seville, seconded by the king of Castile, requested that various persons who had come to seek shelter in the shadow of the tolerance of the Portuguese government should be arrested and sent back to that tribunal for certain investigations. The king wanted to comply with the wishes of Fernando V, but he met with opposition from those members of his council who were of the opinion that the request should not be granted unless guarantees were given, both civil and ecclesiastical, that the men arrested should not be punished, and that they should be sent back to Portugal within a fixed period. The king had to yield, and the unfortunate men, from whom the inquisitors said they wished only to obtain certain declarations, were handed over with all the required precautions, while the *familiar* or constable who came to receive them had to give oath that he would himself restore them to their adopted country sound and safe from the clutches of the holy office.⁶⁷

Taking advantage of these favorable circumstances, the New-Christians attempted to disarm their enemies by their outward conduct. They observed strictly the forms of Catholic worship, although it is probable that the majority of them did not follow it in their private lives. They sought to connect their children by marriage with the families of Old-Christians, thus acquiring allies and defenders among their adversaries. Many of them, by dedicating themselves to the priesthood, tried to secure their future within the shadow of the altar. If some of them continued to follow the law of Moses in secret, that expedient was a sacrilege; but the responsibility for such a crime did not rest upon them; it fell upon the hypocrites and fanatics whose bloodthirsty intolerance compelled a weak and timid race to practice such acts. Far from attempting to put their wealth in a place of safety, the New-Christians invested it in lands, and enlarged the range of their commercial and industrial activities. Not only the king, but also the nobility, perhaps misled by conduct which resembled sincere conversion, and which, indeed, in many instances may not have been feigned, helped and favored them.⁶⁸ In 1510 the king even went to the point of pardoning all New-Christians from Spain who had entered the kingdom without respecting the regulations prescribed in 1503, with the single provision that they were to leave the kingdom within a certain time—a restriction which does not seem to have been enforced with any too great rigor.⁶⁹ But the clearest proof that the ministers and councillors of

⁶⁷ See the documents in the "Corpo Chronologico," Part 1, Package 9, Nos. 37, 41, and 47.

⁶⁸ *Symmicta Lusitana*, loc. cit.

⁶⁹ Document in Drawer 2, M. 1, No. 30, in the National Archives.

Dom Manuel had finally come to reasonable and just ideas concerning the Hebrew race, lies in the favor shown to the New-Christians and their children by the prolongation of the period of immunities that had been granted them in 1497, a term that was to have expired in February 1518. A legislative enactment, signed April 21, 1512, extended for a further term of sixteen years the twenty-year period fixed at the time of the compulsory conversion, so that the period fixing the limit of forced conversion was now to end in 1534. The fundamental principles of the law bear testimony to the advantage derived from the system of moderation as opposed to one of violence. That grace was conceded them in order that "they might live well and honestly, and that they might observe, as faithful Christians, the precepts of the Catholic religion."⁷⁰ If this reasonable system had been patiently followed, the apparent and feigned conversion of the Jews would have become a reality. After they had become associated through marriage with the Christian families, neither racial distinction nor religion could have withstood the inevitable effects of time. Incomparably less numerous than the great mass of the population, they would necessarily have been absorbed in the course of a few generations, and the secret belief, being without rites or other outward manifestations, would gradually have merged into the Catholic faith, which so powerfully affects the imagination, and, in the matter of morality, is more rational and progressive than the Jewish teachings.

But the spirit of intolerance and persecution, though suppressed by the policy adopted after the atrocities of 1506, was silently at work with a diabolic tenacity. Hate is quick of sight, and when its perspicacity is thwarted it is not lacking in the faculty of invention. When materials for true accusations are lacking, calumny comes to its aid, fabricating accusations out of nothing. On account of the intimate relations themselves that the Jews were forming with the Christian families it became impossible that persons should not be betrayed occasionally who, while making an outward show of Catholicism, had remained attached to the religion of their childhood; while in the trivial actions of others who were sincere converts ill will would succeed not infrequently in finding evidences of secret Judaism. The punishment of the assassins of the riot of 1506, and especially of the two friars who were its leaders, and the expulsion of the Dominicans, together with the favors shown the New-Christians, must have exasperated the partisans of a barbarous intolerance to the highest pitch. As persons of all classes and positions, and usually the clergy, belonged to this faction, fanaticism and a desire for revenge succeeded

⁷⁰ Privilege of April 21, 1512, included in the confirmation of July 18, 1522, in the "Chancellery of Don João III," Book 1, folio 44 v.

not only in nourishing ideas of persecution among the people, but also in gradually disposing the mind of Dom Manuel to return, with unexpected faithlessness, to the system with which he had dishonored the first years of his reign. These incessant efforts are proved to have existed by the effects they produced. The signs of change in the mind of the king began to appear in the proclamation (*alvará*) issued in the month of June 1512, in which the acceptance of new complaints against persons implicated in the assassinations of 1506 was forbidden and orders were given to suspend the trials already begun.⁷¹ This act of mercy, however, may have been intended to counterbalance the concessions made on that occasion to the New-Christians. Not so the secret plot contrived shortly afterward. In spite of the guarantee of tolerance given in the solemn promise of 1497, renewed in 1509, and extended in 1512, from which it seemed that the New-Christians had no reason to fear any proceedings being taken against secret acts of Judaism, yet the resolution taken by the king to establish the Spanish Inquisition in Portugal coincided with the symptoms of new popular movements against the New-Christians. In 1515, placards designed to stir up the populace against the Jews were posted in the most frequented parts of Lisbon. The persons threatened then requested that a proclamation should be made, offering a reward of three hundred *cruzados* to any one who would disclose the author or authors of these seditious papers. They undertook to pay the informer's reward. Meanwhile it was said publicly that, if there were a hundred young men of genuine courage in Portugal, all the New-Christians would be put to the sword. The magistrates proceeded very deliberately against these attempts to renew the scenes of 1506; but it seems that the Jews themselves, after the first impulse was past, began to fear that this drastic procedure might have worse results. They naturally knew who were the prime movers in those manifestations of ill will, and they feared that, if prosecuted, they might boldly extricate themselves from the danger by committing openly what thus far they had dared to do only in the dark. It is only in this way that we can explain the hesitation they showed in providing the small sum they had offered for the discovery of the authors of the proclamations directed against them.⁷² They certainly were right in thus endeavoring to avoid the risk of still further increasing the popular irritation. Black and heavy storm clouds threatened new perils in the regions of power. The fine weather they had enjoyed for some years was in danger of disappearing, in spite of the royal assurances. Fanaticism had once succeeded in

⁷¹ "Corpo Chronologico," Part I, M. 11, No. 91, in the National Archives.

⁷² On this paragraph see the original letter of the governor of the Civil Court to the king, dated December 7, 1915, in the "Corpo Chronologico," Part I, Package 19, No. 50, in the National Archives.

overcoming the mind of the king, and it counted on avenging itself for the defeat it had suffered in virtue of its own violence. Without forgetting to foster popular hatred, it continued to prepare for an effort less ostentatious but more certain. The example of the rest of the peninsula, where the Inquisition, under the protection of the scepter, was multiplying prisons and fires, was a fatal argument in favor of intolerance. The public opinion of the country, which manifested itself in spite of the means taken to restrain it, undoubtedly supplied another no less powerful argument. To this were added stories circulated concerning secret acts of Judaism practiced by the converts, stories which, it is easy to believe, were not always false, and which, repeated and exaggerated daily in the ears of a prince as deeply attached to religion as was Dom Manuel, were necessarily bound to make a deep impression upon his mind. These and other causes less easy to understand had finally induced the king to think seriously of establishing in his states a tribunal analagous to those then in operation in the kingdoms of Castile and Aragon. As soon as he reached a final decision, the king wrote to the pope and to Dom Miguel da Silva, who was then Portuguese ambassador in Rome, in regard to this matter. In the letter to the pope he confined himself to requesting urgently that he would grant the petitions that Dom Miguel was about to make in his name regarding matters that concerned the purity of the faith; in the one addressed to the ambassador he directed the latter when soliciting a bull for the establishment of the Inquisition in Portugal to have an examination made in the archives of the apostolic see of all the documents drawn up with regard to the creation of the one in Spain, so that those now to be drawn up should be like them in all respects. According to the instructions sent to the Portuguese minister, the reasons to be given for this request were that, despite the measures hitherto taken to prevent Spanish New-Christians who were persecuted by the Inquisition from entering Portugal, it had been found impossible to prevent the entrance of a very large number of them; that these uninvited guests, abusing the hospitality granted them, continued to practice the Jewish rites more or less secretly and on a smaller scale; that it could not be guaranteed that the Catholic doctrines were always respected even among the Portuguese converts themselves; that not only the conscience of the applicant, but also that of the pope, was interested in the maintenance of the faith in all its integrity and purity. In support of these considerations the king promised to select for that delicate charge persons so highly educated and so virtuous that the pope might be perfectly tranquil concerning the justice of their acts. And, finally, the ambassador was urged to attend to this business with the greatest possible dispatch.⁷³

⁷³ Rough draft of the letters to the pope and to Dom Miguel da Silva, said to have been sent August 22, 1515, in Drawer 2, M. 1, No. 25, in the National Archives.

The villainy of such a request is evident. The New-Christians, to whose honest and religious conduct the king himself had borne authentic testimony three years before, had now changed! The doubtful manner in which the New-Christians are accused in the instructions given Dom Miguel da Silva is proof that they had respected outward appearances, and no inquiry could be made into their private lives until 1534 without violating the most solemn promises. But what did it matter to the promoters of this intolerant policy if the king committed a dishonorable deed that they might satisfy their thirst for revenge? In fact, after the concessions made to the New-Christians in 1507, and especially after the privilege given them of leaving the kingdom with their families and their property, any provisions to compel them to adopt the dominant religion were far from being so odious as the system of compulsion employed at the outset. Intolerance toward them might be at once treacherous and impolitic, yet it was not so brutally cruel as once it had been. But now that the Inquisition was asked for, however great the moderation with which Dom Manuel hoped the inquisitors would proceed, his promises, successively confirmed and amplified, were none the less broken, to the scandalous detriment of the public honor.

The affair was all the more scandalous, because it is certain that, not only from the instructions given Dom Miguel da Silva, but also from the measures that we shall see were taken some months afterward, it may be concluded that the crimes against religion, if there were any, were committed principally by the refugees from Castile, concerning whom the precautions ordered in 1503 for their admission to the country had been but poorly carried into effect, or never attempted at all. As a matter of fact, scarcely two months after the petition for the Inquisition had been dispatched to Rome, orders were issued to the various territorial magistrates to make inquiries concerning the Castilian New-Christians. They were to ascertain through credible witnesses how many there were in each parish and who they were, and then to demand from them a declaration of the time when they had entered the country; whether before or after the restrictions laid down in 1503, and, in the latter case, whether with or without royal permission. In the former event, they were required to prove by witnesses the time of their arrival; in the latter, they were to show the permissory certificate granted them. The magistrates were also to ascertain the condition, profession, and manner of life of each of these refugees. And, finally, the results of these inquiries, drawn up in a summary form, but with precision and clearness, were to be sent to the king, the most complete secrecy being observed regarding the results.⁷⁴

⁷⁴ Document in Drawer 2, Package 1, No. 30, in the National Archives.

In spite of these painstaking and secret preparations, the designs of the adversaries of the New-Christians for the organization of a permanent system of persecution failed once more. Whether it was because the Hebrew race knew what was afoot, and through their wealth and influence were able to prevent the realization of those intentions in Rome and Lisbon; or because, after an examination of the political and economic difficulties that must result from the fatal institution which it was proposed to set up, more moderate advice at last triumphed among the counsellors of Dom Manuel; or whether, finally, the highly probable hypothesis is true that the dispatch of those orders to Rome had been obtained surreptitiously from the king, without the consent of the council, and that this omission afterward hampered the prosecution of the affair; certain it is in any case that no evidence has been found that the instructions given to Dom Miguel da Silva had any result. The records themselves of the civil government down to the death of the monarch do not show that the tranquillity of the converts was disturbed during the six years between 1515 and 1521. The hatred of the populace seems to have slumbered. It was the calm that precedes the storm. Schemes of intolerance were being perfected in the dark. The day was not far off when the skies once more would lower, clouds would gather again on the horizon, and the thunderbolt from the sky would blast the proscribed race.

CHAPTER III

THE ACCESSION OF DOM JOÃO III AND HIS EFFORTS TO SECURE THE ESTABLISHMENT OF THE INQUISITION IN PORTUGAL; FROM 1521 TO 1533

Dom Manuel died in December, 1521, and was succeeded by his eldest son, Dom João, who was not quite twenty years of age. The chroniclers who wrote under the influence of the immediate successors of this prince, having before their eyes the fear of censure, describe him as endowed with a lofty intelligence and qualities worthy of a king. During the lifetime of his father there were many who regarded him as intellectually an imbecile, or at least that is what they said.¹ Dom Manuel himself had shown fears of the influence exercised over his son in early youth by unworthy men.² Certain it is that, either from want of concentration or from incapacity, the prince was never able to learn the rudiments of the sciences, or even those of the Latin language.³ During his reign questions connected with the friars always occupied a place in the gravest affairs of state, and, when he was little more than a child, the first design that he took up with enthusiasm was the building of a convent for Dominicans. These leanings were prophetic of an inquisitorial king. Whether it was the result of a limited intelligence and of ignorance, or a defect of his education, Dom João III was a fanatic. The intolerance that marked his reign, though favored by various causes, was due, in our opinion, principally to the character and inclinations of the head of the state. The facts relating to the establishment of the Inquisition that we are about to narrate will show that more than once the initiative was taken by the king in this matter, and that, however great may have been the preponderance of his ministers in public affairs, in religious questions that preponderance was subordinated to his will. It is certain that the reins of the administration in the most important period of that reign seem to have been in the hands of Pedro d'Alcaçova Carneiro; but when that state of things came about, the establishment of the Inquisition had already been determined upon, in spite of the fact that some, at any rate, of the ministers were still in

¹ Sousa, *Annaes de Dom João III*, Part 2, chaps. 3 and 4.

² Goes, "Chronologica de Dom Manuel," Part 4, chap. 26; Orsorius, *De Rebus Emmanuelis*, Book II.

³ Sousa, *Annaes de Dom João III*, Part 1, chap. 2; Faria e Sousa, *Europa Portuguesa*, Vol. II, Part 4, chap. 2.

power who had upheld the tolerant policy of the preceding reign. The secretary of Dom Manuel, Antonio Carneiro, who enjoyed his intimate confidence for many years and continued to serve the new king, on gradually retiring from the office which he still retained nominally for many years, left as his successor his second son, Pedro d'Alcaçova. This man, whom we find years afterward conducting the most varied affairs at once, and whose activity seems incredible,⁴ being stationed near a prince whose lack of culture his own panegyrists could not conceal, must really have been, as was the Marquis of Pombal at a later period, the real king in the solution of the most arduous questions. Pedro d'Alcaçova seems even to have surpassed the minister of Dom José I in a quality that is of great service to those ambitious of securing power in an absolute monarchy. He made no display of his influence, but kept himself in the penumbra of the throne, and left the glamour of an often barren importance and favor to the vainglorious nobles, especially to those for whom the king showed a decided preference. The influence exercised by the minister on the political policy of this period could hardly be appreciated if, on turning to the historical records, we had not at our command thousands of documents, not yet published, to furnish us with unquestionable proofs of the immense share he took in the government of Portugal. But of all the dark stains that disfigure the reign of Dom João III the founding of the horrible tribunal of faith cannot be ascribed to him. In this affair, although the matter was carried out by him, the impulse came from the monarch. The resistance of the New-Christians was, as we shall see, long and obstinate. An indomitable will, inspired by a thousand sentiments of hatred, struggled for more than twenty years with this resistance and overcame it. The absolute dominion of the rack, the pulley (*estrapada*), and the stake was at last firmly established in the region of religious belief, and prevailed over the evangelical doctrine of tolerance and liberty. In this shifting drama of political intrigue and atrocities, one realizes that a single fixed idea directed the court of Portugal. But it was the idea of Dom João III, incited by his own fanaticism and dominated by the friars. The superior intelligence of Pedro d'Alcaçova probably did no more than to yield to the king's

⁴ It would be difficult to find in the National Archives, or even in library collections and in other archives, rough drafts of correspondence, instructions, provisions, etc., sent out in the name of Dom João III, at least since the year 1532 or 1533, that are not in the handwriting of Pedro d'Alcaçova, especially in matters relating to the Inquisition, and in which the underlying ideas and the form in which they are expressed are not similar in every case, as the products of one and the same mind. Even leaving out of account the drafts now lost, it is difficult to understand how one person alone could do the work of editing the many papers that have come down to us upon an infinity of subjects, from the most ridiculous matters regarding the friars to the gravest questions of the government of the state.

weakness and, amid the endless corruption of that age, to look after his own interests, accepting all the baseness we shall meet in the impious work of the establishment of the Holy Office, in order thus to conserve and enlarge by yet one more means the orbit of his influence.

To whatever causes it may have been due, the failure of 1515 to establish the Inquisition in Portugal, and the predominance gained by the policy of toleration, must have increased the hostility of the irreconcilable enemies of the Hebrew people. This feeling, however, remained for some time powerless, although the influence of the court seemed to have changed. New actors had, in fact, appeared upon the scene and were to play important parts. One of these was Dom Antonio de Athayde, afterward Conde de Castanheira, a favorite of the young king, a youth of his own age and his intimate companion in youthful indiscretions⁵; another was Luiz da Silva, a little older, who had been banished by Dom Manuel⁶ on charges, perhaps ill-founded, of having led the heir to the throne astray. Such were the men whom Dom João had most highly esteemed when he was a prince, and it was they, and especially the former officers of his establishment, who were called to the high positions of the court. The office of lord steward of the household was given to Dom João da Silva, the Conde de Portalagre, and that of grand master of the horse to Dom Pedro Mascarenhas. It was natural that the new monarch should surround himself with his friends, and, being young himself, should show affection for young men who, in his father's lifetime, had thought more of the future than of the present, sacrificing the good will of the king who was to that of the king who was to be. But if changes natural to the time and circumstances took place in the court, the offices that had to do with the administration of the kingdom did not change hands. The counselors and ministers of Dom Manuel had been retained in the discharge of their duties, not even excepting the Conde de Villa Nova and Dom Alvara da Costa, with whom Dom João was said to have been offended. The king's private secretary, Dom Antonio de Noronha, afterward Conde de Linhares, the secretary, Antonio Carneiro, the controllers of the treasury, and all the chiefs of the various branches of the administration, whose intelligence and experience Dom Manuel, in his last will, had recommended to his son, remained to guide the ship of state.⁷ The panegyrists and the historians of Dom João, both official or officious, attribute this fact to the lofty capacity of the prince and to the greatness of his soul. It would be simpler and truer to attribute it to inevitable necessity. Without

⁵ Faria e Sousa, *Europa Portuguesa*, Vol. II, Part 4, chap. 2, n. 12.

⁶ Sousa, "Annaes," Part 1, chap. 4.

⁷ *Ibid.*, chaps. 5 and 6; Castilho, *Elogia de Dom João III*; Trigos, *Memorias sobre os Escrivões de Puridade e sobre os Secretarios dos Reis*, etc.

believing that this king was an idiot, we suppose him to have had an intelligence below mediocrity. Incapable of governing by himself, he had necessarily to accept his father's last advice; for it was impossible that his favorites, youths and men without experience in affairs and not accustomed to the weighty and tedious business of government, should or could take such responsibility on their shoulders, in a monarchy that extended into the four quarters of the then known world, a monarchy too, whose relations both internal and external were most complicated, as all are aware who have even a superficial acquaintance with the political and economic condition of Portugal at that period.

The former ministers being thus retained in the principal offices of the government, the system which had prevailed, though not without opposition, in the councils of Dom Manuel, in regard to the New-Christians, must have gone on, at least for some time, seeing that the same men continued to direct affairs, and consequently maintained the same policy. In this respect, however, as was to happen in regard to many other matters of administration, the inconsiderate propensities of the king were not in harmony with the more sober opinions of his ministers. Dom João III had a deep-seated hatred of the Hebrew race. This was a matter of general knowledge and remark.⁸ This alone was quite enough to stir up in the popular mind, already excited by fanaticism, the old ideas of persecution and assassination. Plots were hatched against the converts, and means of exterminating them devised.⁹ Alarmed by the threatening symptoms that began to appear, the New-Christians appealed to the protection of the supreme authority. In view of the supposed leanings of the king, it is not to be believed that he wished to repress these popular manifestations, but he was obliged to yield to the preponderant opinion in the council,¹⁰ and the prayers of the Jewish families were at last listened to. All the concessions granted them during the reign of Dom Manuel, and successively confirmed from 1522 to 1524, continued to secure the New-Christians the

■ "*Serenissimo Joanne . . .*"—"When the most serene João . . . now king, ascended the throne . . . it was commonly reported . . . that young João hated those New-Christians."—*Symmicta Lusitana*, Vol. XXXI, folio 7 v. "*Quan odiosos . . .*"—"How hateful to him from his very childhood those who cherish errors against our holy faith."—"Informe da Inquisição de Sevilha em 1531," Drawer 2, M. 1, No. 17, in the National Archives.

⁹ "*Post mortem regis . . .*"—"After the death of King Manuel . . . they formed odious conspiracies on more than one occasion throughout the kingdom, with the object of killing them all."—*Symmicta Lusitana*, Vol. XXXI, folio 8 v.

¹⁰ "*Rationibus publicis . . .*"—"Moved by the same public and notorious reasons as King Manuel, and acquiescing in the advice of his nobles . . . he confirmed the same privileges."—*Ibid.*, folio 8.

protection of the law and the possibility of not having to leave their country.¹¹

This fair weather, however, could not last long. In absolute monarchies, when a fixed idea or a violent passion preponderates in the mind of the head of the state, it is almost inevitable that, sooner or later, that idea or that passion should manifest itself in deeds. But if popular opinion is in accordance with the immense force of the royal will, the idea that predominates in the minds of the prince and of the majority of his subjects is bound to triumph in the end, whether it be just or unjust, reasonable or unreasonable, moral or immoral. And that is what happened in Portugal at that time. The lower classes detested the New-Christians quite as much as the king himself detested them. On the part of the people there were, to a certain extent, as we have elsewhere pointed out, grounds for this feeling. The monetary wealth of the country and, in large part, its commerce and industry were in the hands of the Hebrew people, and they did not fail to make frequent use of that advantage in order to avenge themselves upon their inveterate enemies, who had ferociously murdered thousands of their brethren. It was a struggle that was often carried on under cover, but it was never-ending, and from day to day it was made more bitter by new grievances. Two sentiments, one natural and the other factitious, helped to raise the deep-seated hatred of the multitude, and especially that of the lower classes, to the highest pitch. The first of these was envy, a vice common to the less wealthy in all ages; the second was fanaticism, kept alive by the continued encouragement of the clergy, especially by the regular clergy. In the eyes of the populace fanaticism really sanctified the impulses of envy, or rather it disguised them in the inner conscience of the envious with a mantle of religious zeal. This was not so with the king. Ignorance and his leanings toward the friars naturally made him a fanatic, without the help of envy or the memory of past wrongs.

But fanaticism did not prevent the son of Dom Manuel from giving himself up to licentiousness with women.¹² And there is a wide difference between that dark passion and true piety. So it was arranged that he should marry, and the princess chosen for his bride was Dona Catharina, the sister of Charles V, who was then king of Spain. The marriage was arranged, and at the same time an effort was made to draw the bonds between the two countries still closer by arranging a marriage between Charles V and the infanta, Dona Isabel, sister of the king of Portugal. In the final arrangements it was agreed that the dowry of the Portuguese infanta should

¹¹ "Chancellaria de Dom João III," Book 1, folio 44 v., and Book 4, folios 86 and 87 v.

¹² Sousa, "Annaes," Book 2, chap. 14.

be ninety thousand doubloons, or more than eight hundred thousand *cruzados*. There was not sufficient money in the treasury to make up the whole sum, and it was necessary to obtain it elsewhere. This circumstance, perhaps along with some others, led to the convening of the Cortes in 1525. They should have met at Thomar, but, on account of the plague, they were held at Torres Novas. Since the end of the fifteenth century the Portuguese parliament had lost its real power. It had become more of a show and mere formality than a reality. But the main purpose, that of getting money, was accomplished, for a hundred and fifty thousand *cruzados* of new taxes were voted, to be collected within two years. That was the urgent business. The representatives of the municipalities were put off for the most part with fair promises, which were carried out only in part, long after the Cortes of 1535, at which the same remonstrances were for the most part renewed.¹³ It was in this assembly that the general ill will against the New-Christians was able at last, for the first time since the fifteenth century, to express itself in a solemnly significant manner, though keeping within the strict limits of the law.

The Cortes of Torres Novas are, from two points of view, important in the history of intolerance. And it is necessary for us to understand the mutual relations of these two points of view in order rightly to appreciate the real effects of that same intolerance, in which its fomenters see, or at any rate pretend to see, the only efficacious means of maintaining the doctrines of the gospel and the integrity of moral principles. While the tendencies of the king and the people in the reign of Dom João III seemed to be the fruit of a great religious exaltation, an exaltation fostered by the clergy, the state of public morality was deplorable. We shall have occasion more than once to uncover the ulcers that were then wasting society; but the acts of the Cortes relating to this subject, whether they be attributed to the assembly of 1525 or to that of 1535, begin to enable us to form some idea of the customs of that time. Irregularities and abuses in the administration of justice were practiced in all suits, from the lowest to the highest, and not only in the secular but in the ecclesiastical courts as well.¹⁴ The kingdom swarmed with vagabonds who lived in luxury, no one knew how.¹⁵ The vice of gambling was rampant in all classes, accom-

¹³ It is difficult today to distinguish the articles of the Cortes of 1525 from those again presented in 1535, because both sets, and the replies to them, were only published together in 1538 along with the laws which were enacted in virtue of them. Probably in 1535 little more was done than to repeat what was said on behalf of the people in 1525. Sousa seems to have held the same opinion ("Annaes," Book 3, chap. 3).

¹⁴ Cortes of 1525 and 1535 (Lisbon, 1539, in folio), chaps. 1, 3, 5, 7, 14, 16, 17, 20, 35, 37, 43, 50, etc.

¹⁵ *Ibid.*, chap. 150.

panied by its fatal consequences, robbery, strife, and domestic distress.¹⁶ Extravagance was unbridled.¹⁷ The court swarmed with idlers, and the royal household itself set an example of disorder and wastefulness.¹⁸ In the palaces of the nobles were innumerable servants, far in excess of what the incomes of their masters justified, with the result that labor was wanting for necessary work, and especially for agriculture.¹⁹ Any journey made by the king was a genuine scourge for the people through whose district he passed. His immense retinue of parasites of all kinds and classes devoured the substance of landowners and farmers. Provisions, horses, carriages, everything was taken, and the despoilers either did not pay at all, or they paid in notes of hand, while the courtiers often amused themselves by destroying crops, estates, and forests.²⁰ But if the kingdom was badly off in civil matters, it was no better off in matters ecclesiastic. Neither the bishops nor the prelates of the lands belonging to the military orders lived up to their obligations. All they cared for was to enjoy the tithes and revenues, and the people often had to go without the services of the church and the sacraments. The visitations of the prelates were not intended to reform morals or to provide for religious worship, but to extort money. One of the great abuses of the country consisted in the appointment of special apostolic judges, who obtained their offices by patents from Rome, and who had called before them cases both secular and ecclesiastical, ignorant friars and clergymen thus making magistrates of themselves. The abuse of ecclesiastical censures became intolerable. The Order of Christ, which held the patronage of hundreds of parishes, represented a shameful and deplorable scandal, owing to the poverty and neglected condition of its churches and the non-residence of its clergy.²¹

In the midst of complaints against the economic, moral, and religious condition of the kingdom, the representatives of the municipalities did not forget to give expression to the ill will of the people against the Hebrew race. They complained of the New-Christians, who, by taking charge of the revenues of the great estates, monopolized the cereals in order to make prices excessively high in years of scarcity; but they admitted at the same time that the Old-Christians were not, in this respect, less avaricious than the converted Jews.²² It is, however, in the records relating to the practice of medicine that the mutual hatred and distrust of the two races are most clearly displayed. The apprehensions of the people in this respect were terrible. In view of the fact that the physicians were generally New-

¹⁶ *Ibid.*, chap. 183.

¹⁷ *Ibid.*, chap. 182.

¹⁸ *Ibid.*, chaps. 98, 99, 102.

¹⁹ *Ibid.*, chap. 103.

²⁰ *Ibid.*, chaps. 98 and 157.

²¹ *Ibid.*, chaps. 161, 162, 163, 194.

²² *Ibid.*, chap. 136.

Christians, they asked that young men of non-Hebrew origin should be made to study that science. They likewise demanded that the New-Christians be forbidden to follow the occupation of apothecary, and that, moreover, they should be ordered to write prescriptions in the common language, and not in Latin as was the custom. It was the general opinion that the physicians and apothecaries were in league to poison the Old-Christians, whom they publicly accused of being their enemies. The representatives cited in support of this belief a case that had been rumored. A certain physician of Campo Maior, who had been seized in Spain and burned as a Jew by the inquisitors of Llerena, had confessed under torture that he had killed various persons in Campo Maior with poison administered in certain drinks. They asserted, furthermore, that it was a notorious fact that apothecaries put into the remedies they prepared whatever the physicians ordered, without troubling themselves as to whether these mixtures were in accordance with the rules of pharmacy.²³ If this rumor was an invention of the instigators of persecution, it must be confessed that hatred suggested to them a fearful means of working excitement up to its highest pitch through the fear of ever-imminent and uncertain death. And the horrible suspicions of the people were not entirely unreasonable. Nothing was more natural than these acts of vengeance on the part of the sons, kinsmen, and friends of so many victims sacrificed by fanaticism, and who found themselves obliged to suffer daily insult and calumny, without being able to repel them, prejudiced as they everywhere found themselves in the eyes of public opinion.

The royal council seems to have attached but little importance to these representations; for the answers to them were not altogether in accord with the wishes of the delegates of the Cortes. But there was a lack of harmony between the official procedure of the government and the private sentiment of the king. Taking advantage of the predispositions of his mind, the advocates of persecution continually urged the monarch to establish in his states the same tribunal of faith that kept the fires of martyrdom blazing on the rest of the peninsula. Bishops and other prelates (possibly the very ones whose cupidity and whose indifference in matters of religion the delegates of the people had publicly denounced in the Cortes), persons said to fear God, preachers, and confessors who abused revelations, or rather accusations made in the confessional, in short all the sectaries of intolerance, and all who had vengeance to wreak upon any of the New-Christians, and who could make themselves heard, presented to the king proofs, good or bad, of the wickedness of the converts and of their families. For this purpose, inquiries were entered into by the ecclesiastical

²³ *Ibid.*, chaps. 172, 176, 177.

authorities, and civil suits were brought in which they were charged with practicing Judaism.²⁴ These proofs have been destroyed or concealed in the course of time, and it is therefore impossible to estimate fully their value. But though these grounds upon which officious accusations were based no longer exist, there is still extant an important document that tends to invalidate them, or at least to weaken them. Not satisfied perhaps with the revelations made to him and with the facts as represented, the king in 1524 directed that secret investigations be made concerning the mode of life of the New-Christians in Lisbon, which must have been the principal center of Judaism. Jorge Themudo, to whom, at Monte Mor, he had orally entrusted this delicate mission, reported to him on July 13 of that year the results of communications made to him by the priests of various parishes, with whom he had discussed the matter under the seal of the confessional. From this information it appeared that the New-Christians were ceasing to attend divine service on Sundays and days of religious festivals; that they did not bury their dead in the parishes, but in the yards of certain convents or in their cloisters, in deep graves, or in virgin ground; that when at the point of death they never received or asked for extreme unction; that in their wills they never left instructions that masses should be said for their souls, or, if any were said, it was but rarely, while they never ordered *trentals* to be said, or masses to be offered on the eighth day after death, or on the anniversaries of death²⁵; that they were suspected of keeping Saturdays and the ancient Passover; that they confessed in Lent, taking communion on Maunday Thursday, or on the day of the Passover; that they confessed when sick, and some took the Eucharist while others did not, saying that they could not, or not sending for it; that they practiced acts of charity among themselves, but not toward the Old-Christians; that in times of pestilence they buried the dead carefully without distinction of race; that they were married at the church door, and baptized their children, observing precisely all the customary

²⁴ "His Highness had been for many years past informed on many occasions, by preachers and confessors, virtuous men and highly worthy of credence, and also by prelates . . . that the New-Christians were following Judaism . . . which also was known . . . from certain facts . . . , and in order to make more certain of this he wished to see . . . some inquiries made by the ordinaries."—Notes for the instructions to the ambassador in Rome, Drawer 2, M. 2, No. 35. These undated notes were drawn up in 1533, for they refer to the conversion of the Jews as having been effected thirty-five years before. The complaints made to the king many years before must therefore coincide with the first years of his reign.

²⁵ Concerning these masses on the eighth day, and at the end of the year, and on the *trentals*, see the old constitutions of the bishoprics of the kingdom, and J. P. Ribeiro (*Reflexões Historicar*, Part 1, No. 12), and the *Elucidario da Viterbo*, Supplem. v. *Trintaíro*.

rites and solemnities. Such were the facts that characterized the religious habits of the New-Christians, according to the testimony of the benefited clergy, who, notwithstanding, proposed the establishment of the Inquisition as a means of better ascertaining the true belief of the Hebrew people.²⁶

What is there in this information given by the pastors about their flocks, information imparted to a spy under the seal of the sacrament of confession, that shows attachment on the part of the New-Christians to Judaism? Merely a *suspicion* that they observed Saturday and kept the ancient Passover. At most the other instances of nonfulfilment of the precepts of Catholicism might be a proof merely of lukewarmness in the faith, but if they were remiss in attendance upon divine service, a matter difficult to prove in a populous city full of churches, and if that was characteristic of them as Jews, what would become of those prelates and parish priests, who, according to the testimony of the representatives of the people, consumed the enormous ecclesiastical revenues and left the faithful without mass and without the sacraments? It happened that many converts died without the last rites of the church, but was that a rare accident among the Old-Christians,²⁷ and could not a thousand things have happened then, as still often happens today in strongly Catholic families, without their being suspected of impiety in consequence, and still less a sick person who ordinarily is not aware of the nearness of death? The accusation of burying corpses in deep graves or in virgin ground, and of burying carefully and without distinction those who died of the plague, is ridiculous. Not less so is that of helping members of their own race to the exclusion of those who belonged to the race of their murderers and persecutors. There were, however, two features in the conduct of the New-Christians that must have profoundly scandalized the clergy of Lisbon, and must have served them as a proof of irreligion. They made no provisions for prolonged masses for the dead, and often they did not even leave money for a few masses. To the good parish priests consulted by Jorge Themudo, it seemed a grave impiety that the New-Christians should choose as burial places the churchyards and cloisters of the monastic communities, to the

²⁶ Letter of Dr. Jorge Themudo to Dom João III, Drawer 2, M. 2, No. 60, in the National Archives.

²⁷ It was quite as frequent as it is today. Here is what Friar Francisco da Conceição said on this subject when he was consulted concerning this and other matters by the fathers of the Council of Trent, who wished to be informed of the state of religion in Portugal: "*Multi vel sine . . .*"—"Many pass away even without this sacrament (extreme unction), or partake of it when they are almost unconscious, because no one ventures to urge them (for it is supposed to be the harbinger of death)." —*Symmicta Lusitana*, Vol. II, folio 86. Would not the same reason for the Old-Christians' dying without extreme unction apply to the converts' dying without it?

detriment of the interests of their respective parishes. How could they fail to see in this remarkable fact evidences of Judaism?

Whether followers in secret of the law of Moses, or sincere Christians, the converts, as we see from these last complaints, acted in a sensible way by refusing to satisfy the cupidity of the priests and not wishing to waste their means on masses which, under existing circumstances, were merely a scandalous superstition. Following is the language in which a Portuguese friar, respected in Italy and himself an advocate of the Inquisition, a few years afterward described to the fathers of the Council of Trent these offices and prayers for the dead: "The trental," he said, "consists of thirty masses of Saint Gregory and Saint Amador. Those who say them sleep and eat in the church for thirty days, and on each day they celebrate the office of some festival, with a fixed number of lighted candles, a proceeding which, indeed, is highly superstitious and not free from the reproach of cupidity, for the sum of nearly eight ducats is paid for the purpose. There are other masses that are more in keeping with superstition than with true piety."²⁸ Thus the converts proved their Judaism by avoiding things which the theologians themselves regarded as superstitious and tainted with simony! When the secret spies of the king himself could find nothing more than the shortcomings mentioned in the letter of Themudo, what are we to think of the proceedings, inquiries, and mysterious revelations, which those interested in the establishment of the Inquisition sought out and urged with such ardor? Besides this, common sense tells us what should be thought of the acts of sacrilege and other public offenses against religion that we find attributed to the New-Christians. We are convinced that the conversion of a great number of them was feigned; nor could it reasonably have been otherwise, in view of the fact that violence had often done the persuading. But the more attached they remained to the law of Moses, the more punctilious must they have been in observing the outward forms of Catholicism. Surrounded by implacable enemies, objects of the envy of thousands on account of their wealth, naturally timid and dissimulating, they had all the inducements of their interest and the innate propensities of their race to show profound respect for the dominant religion and to be punctual in fulfilling the outward forms of worship. That was all the most exalted intolerance had a right to demand of them. Polytheism had never asked anything more from the early Christians in the days of the martyrs. If it went beyond that, persecution became the most barbarous and atrocious of crimes.

²⁸ Friar F, a Conceptione, "Annotatiunculae in Abusos," etc., *Symmicta Lusitana*, Vol. II, folio 183 v.

The subterranean machinations of the fanaticism of some, and the hypocrisy of others, coincided with the successive ratifications of the privileges and guarantees of security given to the converts by Dom Manuel. These official confirmations of former protection did not, however, discourage the supporters of the Inquisition. As we have just seen from the commission given to Jorge Themudo, the king himself was trying to find reasons or pretexts for abandoning his father's policy. A striking event, the particulars of which are involved in mystery, and which at this time increased the general ill feeling against the proscribed race, confirms the idea that, whatever the opinions of the ministers may have been, the king was determined to make the schemes of intolerance triumphant.

There was in the court at that time a New-Christian, a native of Borba, called Henrique Nunes, to whom the king afterward gave the name of Firme-Fé (Firm-Faith).²⁹ This significant name denoted a sincere convert, or at least one apparently so, whose enthusiasm for the doctrines which he embraced, whether real or feigned, the monarch believed to be profound. Nunes had lived in Castile, where he had perhaps been converted, and where he had been the servant of the famous inquisitor, Lucero.³⁰ The hatred he felt for his former co-religionists, which is plainly to be seen in his correspondence with Dom João III, shows that his opinions in this respect were in entire accord with those of the master whom he had served, and it is highly probable that, in all that concerned the question of the New-Christians, the ideas of the convert of Borba were similar to those of Lucero. In order, therefore, to appraise the real feelings of the obscure servant, we have only one means at our command—to make the acquaintance of his patron. Diogo Rodrigues Lucero, the first inquisitor of Cordova, was a man of harsh and bloodthirsty character, and, at the same time, of narrow intellect. Peter Martyr of Angleria, a contemporary writer and a member of the Council of the Indies, never mentioned him in private letters except by the nickname of "*Tenebrero*" ("Man of Darkness"). This terrible inquisitor summed up all his doctrines concerning the converts in a simple sentence: "Give me a Jew, and I will give you a burned one." All prisoners whom he could not condemn to death by any other means he declared to be remiss in confession; that is, as having concealed in the confession some of their delinquencies and for that reason to be contumacious. The result of this system was

²⁹ It seems that this nickname was given him by the king on account of the inquiry ordered made by the inquisitors of Llerena in February, 1525, concerning the death of Henrique Nunes. It is chiefly this inquiry and the documents appended to it that we have to use in this part of our work (Drawer 2, M. 1, No. 36, in the National Archives). Owing to the office held by Firme-Fé, it would have been imprudent to have given him that title forthwith, at any rate publicly.

³⁰ Acenheiro, "Chronic," p. 350.

confessions of the most extravagant kinds. The material tortures applied to the bodies of victims by the executioners were now equaled by those applied to their minds, in order to help them invent the absurdities they might confess. The sins of witchcraft were added to those of Judaism; flights through the air on wings of devils, flying goats, ghosts, the presence everywhere of witches—all were seen and all were proved. Half of Spain was involved in this infernal conspiracy. Lucero fairly danced for joy; the prisons were full. At last the deeds of violence reached such a pitch that a moral reaction set in. The bishop, the Chapter of Cordova, and the chief nobles demanded the removal of Lucero. The inquisitor-general refused, and Lucero declared all who had made complaints against him to be Jews. An appeal was made to Philip I, who had just ascended the throne. The civil government then intervened in the matter, and Deza, the inquisitor-general, was deprived of his post and replaced by the bishop of Catanea who deposed the ferocious Tenebrero and his colleagues. The death of the king, which took place shortly afterward, caused the execution of these measures to be suspended. Deza resumed his office. Effective revolts broke out in Cordova. The struggle lasted until the time of Cardinal Cisneros, who, upon his appointment as inquisitor-general, created a board to examine into the cases already tried. It was found that all the accusations were false; but Lucero, who was imprisoned at Burgos, was merely dismissed, because it was shown that, in the killing of those innocent persons, he had duly observed the inquisitorial regulations. In the course of the inquiry into this horrible affair, Peter Martyr wrote to the Count of Tendilla: "How could the head of this new Thersites (Lucero) alone expiate the crimes that have disgraced so many Hectors?" Before this, in a letter addressed to Miguel Perez d'Almazan, secretary of Fernando V, the Chevalier Gonçalo de Ayora said: "In matters relating to the Inquisition, they put their trust in the archbishop of Seville (Deza), Lucero, and Juan de Lafuente, who were a disgrace to these provinces, and whose agents usually showed no respect for either God or justice, killing, robbing, and violating maidens and married women with unheard-of scandal!"³¹ Such was the school in which had been trained Henrique Nunes, the man who had appeared like a fatal meteor in the court of Dom João III.

If it is true, as stated by a contemporary chronicler, that the king sent for this man from the Canaries when the question of establishing the Inquisition in Portugal arose,³² it follows that Nunes, in spite of his obscure station, had won celebrity in the service of the Spanish inquisitor; that is

³¹ Llorente, *Histoire de l'Inquisition*, I, 354, 345, et seq.; *Discussion of the Projected Tribunal of the Inquisition*, Cadiz, 1813, pp. 18, 19, 346, 406 et seq.

³² Acenheiro, *loc. cit.*

to say, he belonged to that group of agents whose odious conduct Ayora described to the secretary, Almazan. Otherwise how could Dom João have known that there was an unknown man in the Canaries whose services might be useful in setting up the Inquisition? From the words of the chronicler it is likewise inferred that the king, at the very time he was signing the confirmation of the favors and immunities conceded to the Hebrew race, was meditating means of violating the royal promises.³³ Indeed, if we may believe the letters written by Firme-Fé to Dom João III, the latter had not only asked him to express in writing his views on the manner in which Judaism should be combated, but had also directed him to associate himself with other New-Christians as their fellow-believer, to worm his way into suspected families and to do whatever he thought expedient to find out the state of religious opinion among his former co-religionists. This infamous office was the one still held by the former servant of Lucero when he wrote his last letter to the king.³⁴ After having made himself intimately acquainted with the Hebrew families of Santarem and Lisbon, and perhaps of other places, Nunes followed the court to Evora, the last theater of his exploits. From there, either because the results of his ignoble task were delayed,³⁵ or because, in the pursuit of his business as a spy, he had to follow some one of his victims, Firme-Fé went to Olivença. Either there or in Evora the Jews he had betrayed discovered that he was a spy. Probably fear of vengeance caused him to cross the frontier and go to Badajoz. But he did not escape it. Two New-Christians of Alemtêjo followed close on his heels, overtook him at Valverde, not far from Badajoz, and there killed him with lance and sword.³⁶ If ever such a crime as premeditated assassination could be excused, this one certainly would deserve excuse. The murderers were discovered and brought to trial, and it may easily be imagined whether they found any mercy at the hands of the enraged king. They were two clergymen in minor orders, Diogo Vaz de Olivença and André Dias de Vianna; but they were denied the right of trial in an ecclesiastical court. After being tortured with the *strappado* to see if any accomplices could be discovered, they were con-

³³ "The said king wished to set up the Inquisition in Portugal, and for that reason had him called."—Acenheiro, *loc. cit.*

³⁴ "Your Highness bade me write my opinion of this affair." First letter of the Appendix to the Inquiry, in Drawer 2, M. 1, No. 36, in the National Archives. "Your Highness will remember that in the second audience when you ordered me to Santarem, you directed me to go among them, to eat and drink with them, and to do whatever else seemed best in order that Your Highness should be informed by me of the truth, and on account of which bidding I hear and endure, and keep silent in order that Your Highness may be served."—*Ibid.*, second letter.

³⁵ Acenheiro, *loc. cit.*

³⁶ Inquiry, in Drawer 2, M. 1, No. 36; Acenheiro, *loc. cit.*

demned to have their hands cut off and to be hanged, after being dragged along the ground to the place of execution. These were the penalties imposed by the laws of the kingdom upon hired assassins³⁷; but those who hired them, and upon whom the same punishment should by law have been inflicted, were nonexistent, for no one else was punished. The young monarch was thus inuring himself to the future atrocities of the Inquisition, and the excessive punishment of these two culprits was a genuine bit of preliminary drill.³⁸ But if the trial proved nothing against the New-Christians in general, fanatical hatred undertook to complete this part of the matter. It was rumored that the murderers of Firme-Fé had received money from other New-Christians to perpetrate the deed. This accusation, however, had not crossed the threshold of the tribunal that had tried the culprits, where it would have justified the excessive nature of the punishment, if perchance it had been proved to be true.³⁹

Meanwhile the disciple of Lucero, the man who had spied upon his brethren, was at once sanctified by hypocrisy. The story was circulated that when the dead body was found it had a paper in its bosom on which were drawn the thirty pieces of silver for which Judas betrayed his master, and written beneath were these prophetic words: "*Jesus Christ, remember thou my soul, for on account of faith in thee they kill me.*"⁴⁰ Miracles began fairly to rain down. Earth from the grave in which the martyr had been buried almost entirely drove away intermittent fevers from the neighborhood. A mere handful of this earth easily surpassed in virtue the most heroic remedies known to medicine; and there was no dearth of witnesses in support of these extraordinary marvels.⁴¹

Availing himself of the ignoble means we have mentioned, Dom João III succeeded in obtaining assurance of what common sense should have taught him without such efforts. From the disclosures of Firme-Fé it appeared that many of the families that had been brutally compelled to receive baptism retained at the bottom of their hearts the faith of their ancestors. But the necessity of having recourse to that which is most abject and revolting in human baseness, information derived from lips that have given the kiss of friendship, is evidence that in their external conduct the members of the Hebrew race afforded no pretexts for intolerance. Of the three letters or memorials that have come down to us from Lucero's

³⁷ "Ordenação Manuel," Book 5, title 10, section 2.

³⁸ Inquiry, *loc. cit.*; Acenheiro, *loc. cit.*

³⁹ "This witness heard it said that other New-Christians in Portugal ordered him to be killed and gave much money to those who killed him."—Inquiry, *loc. cit.*

⁴⁰ Acenheiro, *loc. cit.* There is not the slightest trace of this story either in the inquest ordered by the inquisitors, or in the record of the letters found in the dead man's clothing, as reported by the civil authorities of Badajoz.

⁴¹ Inquiry, *loc. cit.*; Acenheiro, *loc. cit.*

former servant addressed to the king, the first contained various suggestions for combating the Mosaic beliefs among the Portuguese Jews by methods more or less indirect; in the second was a list of the persons from whom Henrique Nunes had succeeded in securing the secret of their belief by a pretense of friendship, and, along with this information, proofs of the accusations he made; in the third the spy enumerated the external indications by which the secret Judaism of the pseudo-Christians might be recognized. Among so many indications, however, there is not a single fact that positively and directly proves their attachment to the Jewish religion; they are all negative signs, some of them supremely ridiculous; that is to say, they are similar to those which had been obtained in Lisbon through the agency of Themudo. They include the non-usage of armlets, bracelets, and other ornaments of silver or gold, images of saints, crosses, and shells or staves of Santiago; the omission to take prayer books to church and to use rosaries; frequent absence from divine service; failure to take part in processions and pilgrimages, or to order masses and trentals; failure to give alms when asked in the name of God or the Virgin Mary; and finally, the practice of burying their dead separately, each body in its own grave, contrary to the usual custom of making the same grave serve for relatives by blood or by marriage.⁴² Such were the motives that led to the establishment of a tribunal destined to fill the country with fires and with mourning. The disciple of Lucero, inspired by deadly malevolence against his former co-religionists, and spying upon their conduct in various parts of the kingdom with infernal hypocrisy and indefatigable activity, had been able to get nothing more than this. Is not this fact still another reason for believing that the acts of sacrilege, the insults to the objects of Catholic worship, which we have seen attributed to them, and other instances which we shall meet with hereafter, were nothing more than base calumnies, or were committed by the accusers themselves in order to cause scandals that might still further irritate the people? May not Henrique Nunes' own observations, though in part ridiculous, have been exaggerated? The rancor that breathes from the pious phrases of his letters to the king should make us hesitate to believe in the sincerity of Firme-Fé. That rancor was so blind that he attributed to the character and traditions of the race to which he himself belonged every kind of vile and perverse tendency, reminding Dom João III of the testimony borne by the Bible against the Jews. Not only did the wrong use made of their wealth by the New-Christians justify popular hatred, but even the envy which the less opulent felt toward them was legitimate in the eyes of the devout spy.⁴³ Implacable in persecution, he confessed that one of the first

⁴² Inquiry, *loc. cit.*; Appendix, third letter.

⁴³ *Ibid.*, first letter.

pseudo-Christians whom he had denounced to the king as soon as he got an opportunity of speaking to him upon his arrival in Portugal, was his own brother whom he had carried away from Portugal at an earlier date in order that he might be brought up in the true faith, but who had returned to Lisbon as soon as he could run away, and had there secretly followed the religion of Moses.⁴⁴ Fanaticism, or rather hypocrisy, carried to this degree of hideousness, is not only capable of misinterpreting the simplest and most innocent actions, but even of inventing crimes.

In view of the efforts put forth by the king to find pretexts or motives for persecuting the richest, most active, and most industrious of his subjects, the establishment of the Inquisition in the near future was inevitable, especially since the desires of the prince coincided with the popular disposition and with the efforts of a part of the clergy. In the period between 1525 and 1530 the question of the converts, which deeply agitated men's minds, took on a more and more serious aspect, and the outlook for the future became increasingly discouraging. The conflagration spread rapidly with the fresh fuel heaped upon it, for the direct and specific accusations and the more or less vague rumors of acts of sacrilege and insults to the dominant religion committed by the New-Christians spread, multiplied, and were exaggerated, until the people were stimulated to make public demonstrations of their hate in proportion as the protection of the government gradually became more indifferent. Moreover a powerful factor in the development of persecution had just been added to those that already existed. Dona Catharina, the new queen of Portugal, granddaughter of Fernando the Catholic, brought to her adopted country the ideas and prejudices of the court of Spain against the New-Christians, and she had been accustomed since her infancy to regard the Inquisition as a tribunal indispensable for the maintenance of the faith. The favor of the queen, and her influence over the mind of her husband, already so prone to intolerance, as we have seen, redoubled the ardor of the adversaries of the Hebrew people. Various Dominicans from Spain came at this juncture to assist their confreres and the prelates who shared their views, to hasten the hour when the ashes of the two ringleaders in the riots of 1506 would be amply revenged.⁴⁵ But though alarmed at these manifestations, which they could

⁴⁴ "In the first audience graciously accorded me I complained of this brother of mine . . . that I had sent him secretly to Spain . . . to make him a Catholic, as indeed I did, and that he came back to Lisbon to make himself a Jew like the rest."—*Ibid.*, second letter.

⁴⁵ "*Apud dictum . . .*"—"They also worked upon the said most serene king by means of a large number of prelates of the said kingdom, and, what is worse, by means of brothers of the said order of prelates from Spain, who enjoyed inordinate favor throughout Castile, and especially with the most serene queen who is still living."—*Memoriale Christianor. novor.: Symmicta Lusitana*, Vol. XXXI, folio 12.

not altogether ignore, the New-Christians hoped to avert the storm, trusting in the exemptions, immunities, and privileges accorded them by Dom Manuel, which the reigning monarch had confirmed, and which could not be violated before 1534 without the most glaring breach of faith.⁴⁶

Meanwhile the proofs and arguments intended to show the necessity of proceeding with severity against the secret enemies of religion were being energetically collected. The inquisitors of Llerena, who in 1525 had ordered an inquiry to be made into the death of Henrique Nunes, an inquiry in which the witnesses declared they *had heard it said* that the murderers had been paid by the New-Christians to commit the crime, sent to the king in 1527 an authentic copy of the report of this trial, to which were appended equally authentic copies of the letters or memorials which Firme-Fé had addressed to him. The bearer of these documents, which later on were to serve in the petition for obtaining the establishment of the Inquisition, was the celebrated Pedro Margalho, professor in the University of Salamanca, chosen as tutor to the infante, Dom Affonso, and who afterward became vice-rector of the University of Lisbon. Possibly these documents were drawn up in collusion with the king himself.⁴⁷ The imprudence of certain Spanish refugees at that very time came to aggravate the position of the New-Christians in Portugal. Being persecuted by the inquisitor of Badajoz, these converts had sought refuge at Campo Maior. From there, having collected an armed force, they returned to the former town, and, setting free a woman who had been forbidden by the Inquisition to leave the city, at the same time carried away their household furni-

⁴⁶ "*eadem privilegia . . .*"—"He fully and unequivocally confirmed the same privileges his father had conceded . . . so that the said New-Christians more and more refrained from leaving the said kingdom."—*Ibid.*, folio 11.

⁴⁷ This inquiry and its appendices, which are to be found in Drawer 1, M. 2, No. 36, in the National Archives, although authentic, are open to question regarding the accuracy of the statements made in them. The first peculiarity is that in the dead man's pocket were found the letters that he had addressed to the king, which can be explained, up to a certain point, by supposing that they were rough drafts of them, but which nevertheless were papers which, in his own interest, he should have destroyed. The second peculiarity is that the murderers should not have examined the dead body and taken them away, since they were of necessity unaware whether the king had already received them. Might not Dom João III have used corrupt methods to have placed on the body the letters that were in his hands in order to have an authentic copy made afterward? Be that as it may, on the back of that document are two notes, each in a different handwriting, but both of the same period, in which it is said: "Notes given by the king, that Master Margalho brought him from Spain, that were found on Henrique Nunes, Firme-Fé, when he was killed; Coimbra, the first day of October, 1527." "From this note it is inferred that the king sent this copy to Rome when he first asked Clement VII for the Inquisition." Concerning Master Margalho see Leitão Ferreira, *Memorias Chronologicas da Universidade*, secs. 1020, 1024 *et seq.*

ture and other things they had not been able to take with them at the time of their flight. Selaya, the inquisitor of Badajoz, irritated by these proceedings, wrote directly to the king, demanding the extradition of the criminals in accordance with the ancient treaties between the two countries. The matter had caused much stir, and the inquisitors of Llerena upheld the claim of their delegate, also demanding the extradition, to which they added direct protests from Charles V. We do not know how the matter ended; but in view of the tendencies of the court, it is most probable that the fugitives were sacrificed.⁴⁸

Selaya's letter to Dom João III is a curious document; for better perhaps than anyone else he gives a clear conception of the ideas of the inquisitors of that period. We have no reason for supposing Selaya to have been a hypocrite, and we must therefore regard him as a sincere fanatic. After relating how his authority had been treated with contempt and asking for redress, the inquisitor of Badajoz goes into general considerations upon the duty of the king of Portugal to persecute the pseudo-Christians, in imitation of the example of Spain. Referring to the compulsory conversion, to which the Jews appealed as a justification for continuing to follow their ancient beliefs, Selaya declared the excuse to be a futile one; first, because no one could say he had suffered compulsion when he had received a benefit, even if it were by force, so great as that of baptism; secondly, because that compulsion had not been absolute, but only conditional, seeing that the converts had always been free to let themselves be killed rather than accept baptism, thus imitating the courage of the Maccabees. To these absurdities the inquisitor added others still more singular. He told how two or three years before there had appeared in Portugal a Jew from the east, who announced the near coming of the Messiah, the liberating of the Israelites, and the restoration of the kingdom of Judah. He said that this cunning man had not only confirmed Jews in their erroneous beliefs, but had also brought back to Judaism innumerable New-Christians both in Spain and Portugal. From this fact Selaya concluded that, even admitting the legitimacy of the religion of Moses, this man and his followers were heretics in relation to Judaism because they gave new interpretations to the Old Testament, contrary to the opinion of the Karaites, the only orthodox sect that accepted the Bible literally. The worthy inquisitor, faced with this dilemma, saw that it was necessary in any case to persecute the Jews. To him it was a matter of indifference whether they were burned in the name of Jewish orthodoxy or in the name of Christian orthodoxy. In either case, the result would be their extermination.⁴⁹

⁴⁸ Original document, March and May, 1528, in Drawer 2, M. 1, No. 46, and Drawer 20, M. 7, Nos. 14, 35, and 36, in the National Archives.

⁴⁹ Letter of Dr. Selaya, March, 1528, Drawer 2, M. 1, No. 46.

While these things were taking place, in which the influence of the Spanish Inquisition was apparent, other purely domestic matters were tending to the same end. The spirit of persecution showed itself in its most menacing form in the towns where the Hebrew people formed the most important and the wealthiest part of the population. The scenes that took place at that time in certain districts may give an idea of what was soon to be a general practice. An image of the Virgin, venerated in Gouveia and to which, it seems, the people were especially devoted, was found outrageously treated.⁵⁰ The judicial inquiry that followed this act of sacrilege produced a result that the reader may easily foresee. The scandal was the work of New-Christians. Three persons were found guilty, two of whom were arrested and sent to the capital. A rumor soon spread that they were to be pardoned and set free. It was then generally said that the converts had formed a vast association for mutually helping one another with the immense resources offered by the wealth of some and the prominence of others, the shrewdness of many and the watchfulness of all. At the same time the magistracy was accused of corruption, so that they should never acquit defendants absolved after an ordinary trial for crimes against the church. This common opinion agitated the people of Gouveia, and the municipal judges addressed a letter to the king in which they gave expression to the violent suspicions which the people had conceived or which, rather, they had been led to conceive, concerning the two persons suspected. "Throughout these districts," they said, "the New-Christians declare they will spend immense sums of money to get them set free and will prove that the crime was committed by Old-Christians. For that purpose they are seeking malefactors and men of infamous character, who are poor or without morals, who will give whatever evidence is wanted in return for money, whether it be in favor of the accused or against someone else. The people are determined to seek justice from Your Highness or to leave this country. In old times, before the Jews were converted, they hanged the image of the Blessed Virgin on the gallows of this town, as Your Highness already knows. There is a great deal of agitation, and rather than anything should happen that might dishonor God and Your Highness, let the criminals pay the penalty of their crimes. We speak of this to Your Highness for the relief of our consciences."⁵¹

It is evident from this letter that the fear was felt that the impending trial might result in transferring the crime from the accused to the accusers. That display of fear was mingled with vague threats of popular up-

⁵⁰ The profanation consisted in pulling down the image and breaking it in pieces. —*Symmicta Lusitana*, Vol. XXXI, folio 15.

⁵¹ Letter from the ordinary judges of Gouveia, November 8, 1528; "Corpo Chronologico," Part 1, M. 41, No. 108, in the National Archives.

risings. It is not easy to say how far the general facts mentioned in this letter are true, for it is plainly inspired by profound hatred on the one hand, and by grave apprehensions on the other. That the converts were trying to organize means of resistance to the persecution they saw springing up on all sides is highly probable; and it is also quite credible that, in order to defend their co-religionists and at the same time attack their enemies, they were none too scrupulous in the choice of the instruments they employed. But, on the other hand, it is no less likely that their adversaries gave secret orders for committing outrages in order to attribute them to the New-Christians. That was an obvious expedient which intolerance could not overlook. But so far as the witnesses in the trials were concerned, if those who deposed in favor of the New-Christians could be corrupted and suborned, why could not those who testified against them be corrupted also? Besides bribery, to which both parties alike have recourse, the Old-Christians had other and no less powerful means of corruption in the general hatred of the masses toward the Hebrew race, and the hypocrisy that could easily persuade the ignorant of the legitimacy of perjury when it was a matter of ruining the enemies of the faith. In the terrible question that was being debated at that time, the results of judicial depositions should not receive any great consideration on the part of history, unless they are confirmed by some other kind of evidence, or unless there is a reasonable probability that they are true. Apart from the abuse of legal forms, to which, at all times and in all places, infuriated partisans are wont to resort, the legislation of that period gives us also unquestionable proof that disregard for the sanctity of the oath had then become exceedingly common.⁵² Suspicions in this respect were bound indeed to be mutual; for, if the Old-Christians accused the new of using false witnesses to defend themselves, the latter accused the former of adopting the same expedient in order to incriminate them,⁵³ and we shall see presently that the assertion of the converts was not always a vague accusation.

At that time (1528) the nuncio and legate *a latere* in Lisbon was Dom Martinho de Portugal. Having gone as ambassador to Rome in 1525 to take the place of Dom Miguel da Silva, and having been himself recalled in 1527, he had been commissioned by Clement VII to exercise those functions at the court of his own sovereign.⁵⁴ The case of the three accused

⁵² "Ordenação Manuel," Book 1, title 44, sec. 1.

⁵³ "*Plurimos falsis . . .*"—"Very many they did to death by false testimony, the witnesses, so it was said, conspiring together." So said the two jurisconsults Parisio and Veroi at the conference Clement VII ordered them to hold on the question of the Inquisition.—*Symmicta Lusitana*, Vol. XXXI, folio 229; see also the "Memoriale," *ibid.*, folios 12 *et seq.*

⁵⁴ "Corpo Chronologico," Part 1, M. 32, Nos. 56 and 60; Package 20 of Bulls, No. 10, and Package 11 of the same, No. 20; Drawer 7, M. 11, No. 4, in the National Archives.

persons, the third of whom seems to have been arrested a little later, was handed over to him. Dom Martinho was a man without morals and without beliefs, to whom religion was nothing more than a political instrument, and who would not even hesitate at the idea of an assassination, if it could be of any use to him.⁵⁵ However, this did not seem to prevent his zeal for the exaltation of the faith and the persecution of heresy; the real character of his zeal we shall be better able to appreciate when we consider his conduct as agent of Dom João in Rome. The New-Christians found in him neither favor nor mercy. There appeared as accusers of the prisoners two inhabitants of Gouveia, Richarte Henriques and a certain Barbuda, and such was the number of witnesses who supported the accusation that, in spite of the fears manifested by the judges of that town regarding the means of bribery the New-Christians had at their disposal, the converts could not find sufficient malefactors and unprincipled persons to counter-balance them. The three unfortunates were condemned to death, and perished in the flames, embracing the crucifix and calling upon the name of Christ till their last breath.⁵⁶ But before the close of this terrible drama, new and grave suspicions had been aroused against various other inhabitants of that town. Orders were issued for their arrest, and some of them were seized and sent to the capital. They are well-to-do persons, and a magistrate of Coimbra who had been sent to take charge of the proceedings, fearing they might be liberated on the road, ordered them put in irons. The inquiry that was then held ended in the same verdict as the one passed upon those previously arrested. They were Jews, in spite of having been baptized.⁵⁷ Fortunately for them, their case came before the ordinary ecclesiastical tribunal, because the legateship of Dom Martinho de Portugal had come to an end shortly before. It was there proved beyond question that a large number of the witnesses for the prosecution had been bribed and had given false evidence. Their depositions were solemnly burned, and the prisoners were set free. But there is nothing to show that those who had deliberately lied were every punished.⁵⁸

⁵⁵ The grave accusations we here make will be fully justified by the original correspondence of Dom Martinho when, some years later, he was again ambassador in Rome upon the business of the establishment of the Inquisition.

⁵⁶ "*Tandem traditi . . .*"—"At last they were given to the flames and ended their lives calling upon the name of our Lord Christ till their last breath, and clinging to the holy Crucifix."—"Memoriale," *loc. cit.*, folio 15.

⁵⁷ "I have held an inquiry upon these men as well as upon those who are in the capital: it appears . . . that they are Jews, just as they were before they were made Christians. I am sending everything forward. 'And as they are rich men and there is risk of their being rescued, I send the bailiff with them.'—Letter from the Licentiate Sebastião Duarte to the king; September 16, 1529; "Corpo Chronologico," Part 1, M. 4, No. 84, in the National Archives.

⁵⁸ "Memoriale," *loc. cit.*, folio 16.

Not many years later a quarrel that broke out between Richarte Henriques and Barbuda explained why the three New-Christians condemned to the flames had died embracing the image of the Savior. Henriques publicly accused his companion of having been the one who had committed the profanation of breaking the image of the Virgin. The numerous witnesses for the prosecution were perjurers. The relatives and friends of the victims then appealed to the king's supreme tribunal. Barbuda was arrested and taken to the prison in the capital, from which he soon afterward escaped or was permitted to escape. The matter was hushed up on account of the large number of witnesses compromised, or, if we are to believe what the New-Christians said, for reasons still more ignoble.⁵⁹ They might have picked upon men who were secretly Jews; they did actually hit upon Jews who were sincerely converted. Providence had administered an impressive lesson, but fanaticism did not comprehend it.

These facts, which ought, at least, to have modified public opinion in Gouveia, served only to irritate it the more. The system of denunciations and judicial trials was a slow process and of uncertain outcome. Neither the remote scenes of the gallows and fires in Lisbon nor the dishonor and extermination of an occasional family or of an occasional individual were enough to satisfy such hatred. The instigators of persecution urged the lower classes to the commission of the greatest excesses. During part of the year 1530 scenes of anarchy were constantly being enacted in Gouveia. Often in the dead hours of the night the ringing of the church bell was heard. At that signal the people came together, and, marching noisily through the streets, now and again raised the cry: "*Let our lord, the king, bid justice be done on such and such heretics,*" giving the names of many New-Christians. Immediately a shower of stones crashed against the doors, windows, and roofs of the victims named. The persons thus dedicated to the brutalities of the mob did not dare to go out of their houses again. In vain the judge ordered these tumults to be stopped, and threatened with severe punishment the disturbers of the public peace. They probably knew this was nothing more than an empty threat, and so the outbreaks redoubled in violence. But they did not stop at this. The zeal of the defenders of the altar, warmed up by nocturnal orgies, had increased. They forged royal letters and briefs from the nuncio, imitating the signatures with such skill as easily to defy detection. In these forged documents the Old-Christians were authorized to arrest such of the converts as they might choose, to open inquiries concerning them, to pass sentence upon them, and even to condemn them to be burned to death. Furnished with these absurd documents, they sought out certain merchants,

⁵⁹ *Ibid.*, folio 15 v.

more credulous and more timid than the rest, and extorted from them large sums of money, besides much linen and valuable cloths, assuring them that, unless they did what they demanded, they would be arrested, tried, and punished for the crime of Judaism. A few bolder spirits took legal proceedings to stop such annoying persecution; but all they could effect was the publication of an authentic record of the popular uprisings, which left them the melancholy expedient of complaining to Dom João III about the violence of which they were the victims.⁶⁰

But it was in Alemtêjo that the persecution was carried on with the coldest and most deliberate malevolence. Olivença and its territory, which then belonged to Portugal, formed a kind of *Isento*, or a diocese apart, ruled by the bishop of Ceuta, Dom Henrique, a man dominated by an implacable rancor against the Hebrew people, and who, if we are to believe the New-Christians, was guided in this respect solely by the accusations and suggestions of the friars. In places under his jurisdiction it may be said that the Inquisition already existed before its regular establishment. His visits in the diocese usually led to the imprisonment of persons of both sexes who were accused of Judaism. The trials of these poor wretches were most rigorous, and often ended in the defendants being burned at the stake. The people enthusiastically applauded these barbarities. On a certain day when some New-Christians were burned at Olivença, there were sham fights on horseback (*jogos de cannas*) and bullfights to celebrate the act in the afternoon. Henrique died suddenly in 1532, a few months after the Inquisition was authorized for the first time,⁶¹ and when the persecution of the Jews, therefore, no longer required his services. The history of his atrocities, however, continued to live in the memory of everyone, and the New-Christians considered the manner of his death, which gave the prelate no time for repentance, as the punishment of heaven for his having lately condemned to the flames a poor destitute old woman, after refusing her the means of defense by forbidding that she should be told the names of her accusers and those of the witnesses who appeared against her.⁶²

In the midst of this complete inversion of the doctrines of Christianity, which the ministers of a God of peace, the priests of a religion of tolerance and liberty, who, far from shaking the dust from their feet at the gates of a city that did not wish to receive them, racked with torture those who,

⁶⁰ "*Instrumentum da Injuriis et Tumultibus in oppido de Gouveia . . .*"—"An instrument dealing with assaults and riots in the town of Gouveia . . ."—*Sym-micta Lusitana*, Vol. XXXI, folio 102 *et seq.*

⁶¹ Friar M. de S. Damaso, *Verdade Elucidada*, p. 19.

⁶² "*Memoriale*," *loc. cit.*, folios 12 and 13; *Instrumentum Oppidi Oliventiae*, etc., *Ibid.*, folios 96 *et seq.*

after having been compelled by violence to accept baptism, sought to conceal the faith that yet lived in their hearts, there appeared a man of genius whose mission in the world was as different as it could be from the sacerdotal vocation, and raised his voice, accustomed to cause great and small alike to laugh, to call the priesthood back to the fulfilment of its duties. We refer to our Shakespeare, Gil Vicente. The poet was in Santarem in the early part of 1531. An earthquake occurred. The friars began to deliver lectures and sermons in which they attributed the phenomena to the punishment of heaven for sins which they expressly named, and they announced another shock for which they set the day and the hour. The New-Christians began to hide themselves in alarm, a sure sign that the allusions of the preachers were to them. Gil Vicente, foreseeing perhaps a renewal of the scenes of 1506, and moved with compassion for the poor Hebrew families who were half-dead with fear, succeeded in getting together the fanatical prophets of such evils in the cloisters of the Franciscan convent, and pointed out to them in a powerful and well-reasoned speech the absurdities of their doctrines. The poet's intelligence succeeded at last in illuminating their ignorant minds, and the incitements to disturb the public peace ceased. Preaching to the preachers the maxims of sound reason, this Portuguese Plautus staged a new kind of play, and by a serious address, and in spite of the fact that the situation of the orator had its comic side, prevented the making of Santarem the theater of a horrible tragedy.⁶³

It must be confessed also that at times there appeared among the clergy themselves men of clear vision and of a truly apostolic disposition, who ventured to protest loudly against these orgies of hypocrisy and fanaticism. Among the most notable of these were the bishop of Algarve, Dom Fernando Coutinho, and Dom Diogo Pinheiro, bishop of Funchal, both aged men who had served their country in eminent positions during the reigns of Dom João II and Dom Manuel, and who, in the councils of those monarchs, had always maintained toward the Jews the true principles of evangelical tolerance, principles in accordance with those of sound policy. The trials for crimes of Judaism that happened to fall within their jurisdiction, or that were handed over to them for trial, usually ended in the dismissal of the defendants. Being thoroughly acquainted with the history of the conversion of the Jews which they had witnessed, they were profoundly convinced that such a conversion had been nothing but an act of brutal violence. It was their opinion that the act of baptism imposed by force carried with it no obligation, and the converts had remained as thoroughly Jews as they had been before. And so, regarding them as out-

⁶³ Letter of Gil Vicente to Dom João III, January 26, 1531, in his *Works*, III, 385, edition of 1834.

side of their spiritual jurisdiction, they set them at liberty.⁶⁴ On the occasion of the request to Rome for the establishment of the Inquisition, Dom Fernando Coutinho expressed his ideas with regard to Judaism in a manner that was more than severe, not only before the metropolitan tribunal at Lisbon, but also before the chief justice (*desembargedor*) of the king. A man of the lower classes who lived at Loulé, and, as it seems, a New-Christian, was charged with speaking heretically and indecently of the Virgin Mary. An officer or justice made the accusation, and the case, having been brought before the civil courts, was sent to the prelate as being a matter of heresy. The bishop referred it jointly to the king and the archbishop of Lisbon, giving the reasons why he did not wish to take part in the matter. He was thereupon ordered to try the case and pass sentence. Dom Fernando Coutinho was annoyed, and replied with asperity, handing the case over again. The whole matter consisted merely of a few words spoken by the accused man while intoxicated. The details of the accusation had been false, and false the witnesses who had supported it. With bitter irony the former chief justice and septuagenarian bishop speaks of the young, inexperienced, and fashionable lawyers who, in order to flatter the king, or to gratify the passions of the populace, stir up feeling against the Hebrew race. "If I were not more than seventy years of age," he said, "and were a man of the present day, I should still have to declare the proofs false, because their falsity is plain and perfectly clear in the eyes of the law. The bailiff who brought the suit and the witnesses ought all to be sent to the *strappado*." And he added in another place: "I am not Pilate, but I wash my hands of this business. Let the modern men of learning decide it."⁶⁵ Nor did he conceal his opinions regarding the general question of the New-Christians. He felt that not only were the persons baptized against their will in the time of Dom Manuel still Jews, but that their children, taken by them in infancy to the baptismal font, were likewise Jews. With the same delicate irony with which he had spoken

⁶⁴ "*Qua de causa . . .*"—"For which reason the bishop of Funchal and Doctor João Pedro and I order those who were brought before us for such cases of heresy to be discharged."—"Episc. Silviens. Sentent." 1a, in *Symmicta Lusitana*, Vol. XXXI, folio 79. "*Doctor Joannes Petrus . . .*"—"Doctor João Pedro and the bishop of Funchal, and Doctor Fernando Rodriguez with others of the clergy, decided that they should be set free, because they deemed them Jews, and not heretics." *Ibid.*, Sentent. Definit., 2a; *ibid.*, folio 76 v.

⁶⁵ "*Quia ego . . .*"—"Because if I were not a septuagenarian but belonged to these modern times, I should have regarded this proof as false; for it is so clear and obvious that the law regards it as false. Both the bailiff who lodged the complaint and all the witnesses ought to have been put to torture. . . . I wash my hands of this case, though I be no Pilate; let the other modern learned men decide it."—*Idem*, *ibid.*, folios 77 v. and 80.

of the modern lawyers, he reminded the king that the worst of all was that the pope and the college of cardinals had decided in consistory a few years before to allow the Jews to live at Rome, publicly professing the law of Moses. The prelate concluded, however, with a recommendation that this document of his should be torn up, because it might make the New-Christians insolent, and because it was bound, moreover, to displease the local magistrates and the supreme ministers of the different provinces of the kingdom.⁶⁶

The fears of the bishop of Silves were unfounded. Dom João III, moved not by his own inclinations alone, but also by the encouragement of the queen and some of the courtiers,⁶⁷ was already preparing an effective means of checking the boldness of the New-Christians and of obviating the displeasure of influential persons. In the early part of 1531 the thing for which so many persons had struggled so long, the establishment of a tribunal of faith, had finally been settled. Instructions were given to Brás Neto, the ambassador at Rome, that he was to obtain from Clement VII with the utmost secrecy a bull which should serve as a basis for the intended establishment. The principal conditions were as follows: that the Spanish Inquisition was to be taken as a model, the Portuguese inquisitors being given the same powers that had been accorded to those in the rest of the peninsula, or still greater if possible; that the concession of the new tribunal should be perpetual; that the king should be invested with the necessary authority to appoint the inquisitors and other ministers and officers of the same tribunal, whether taken from the secular clergy or from the regular clergy, including the mendicant orders, and moreover to choose, in case of necessity, some lay and married ministers, providing they possessed minor orders; he being, furthermore, authorized to put others in their places permanently or temporarily and to appoint an inquisitor-general, also removable, who should preside over the others and direct them; that the new inquisitors should be invested with the amplest powers to try, condemn, and impose any manner of penalties, exercising their ministry in all its fullness, depriving whomsoever they saw fit, whether secular or ecclesiastic, of any dignities whatever, without the slightest responsibility to the prelates of the diocese, and without even informing them of their action; that, from the moment the inquisitors took cognizance of a case, the bishops should be forbidden to interfere in the question, the inquisitors, on the other hand, being able to intervene in trials begun by the bishops; that the bishops should obey the inquisitors whenever the latter

⁶⁶ *Ibid.*

⁶⁷ "*Per reginam . . .*"—"Through the queen his wife and certain powerful lords."—"Memoriale," *ibid.*, folio 21 v.

called upon any one of them to degrade from his orders any ecclesiastic who had been condemned, without regard to the diocese to which the prelate belonged or whether the defendant were his subject; that the Inquisition should take cognizance not only of crimes of heresy, but also of those of sorcery, witchcraft, divination, enchantment, and blasphemy; that to it should belong the removal of excommunications, the reduction of penalties, the reconciliation and absolution of persons in all the previously mentioned offenses subject to their jurisdiction; that the inquisitor-general should be authorized to appoint subordinate inquisitors in such cities, towns, villages, and bishoprics as seemed convenient, to dismiss them, and also to give them and take away from them officers and assistants, to watch over them, to punish and to absolve them; finally, that the Inquisition should have power to summon before it any case of heresy whatever, at any stage of the trial, without excepting from this rule those dependent upon the apostolic auditors, judges, and delegates.⁶⁸

Some centuries earlier any petitioner who should have asked of the primate of the west the establishment of an ecclesiastical tribunal organized under the conditions named in these instructions would have aroused the laughter or the compassion of the faithful, and the pope would have ordered prayers to be offered in the churches of Rome, asking God to restore his disordered reason. In the early part of the sixteenth century it did not happen that way. The demand was not free from difficulties; but, as time has shown in Portugal, and as it had already shown in Spain, it was not absolutely impossible. It meant nothing less than the almost complete abrogation of the episcopate, the transfer of part of its most important functions to delegates of the civil power, and the subjection of the bishops, not to established rules, but to the mere whim of the inquisitors. If any prelate should fall under their displeasure, he could be accused, tried, condemned, and deposed without any of his fellow-bishops or even his archbishop being allowed to interfere in this monstrous subversion of all church discipline. There was established an immense network of inquisitors, notaries, promotor, counselors, proctors, jailers, constables—a network that was soon to extend over the whole country and over every person in it, for no one could be sure that he would never be regarded as a wizard or a heretic—and at the center of the network sat the inquisitor-general, appointed by the king, removable at his pleasure, and therefore merely a passive instrument in his hands. Thus the monarch might add to the terror of civil power all the force of the religious terror exercised indirectly over his subjects, and Dom João III might, by means of his excessive Catholic zeal, bring about the same result that Henry VIII of Eng-

⁶⁸ Rough draft of the instructions to Dr. Brás Neto, without date, Drawer 2, M. 2, No. 39, in the National Archives.

land had obtained by destroying the unity of the church. On the other hand it must be admitted that if the Inquisition had been established with the functions assigned to it, and if as inquisitor-general had been placed at the head of it as supreme and absolute chief, that man, if he were not entirely dependent upon the prince, would be, though indirectly, the real king of Portugal. There was no escaping from that dilemma when once the authority of the bishops was annulled, and a new element was introduced into the economy of the church. There must be subordination, either on the part of the crown or on the part of the legitimate priesthood.

Such was the design, considered from the point of view of the mutual relations between civil and religious society. Politically and morally regarded, it was at the same time a very grave administrative error and a vulgar act of treachery on the part of Dom João III. If the matter became public, as we shall see presently that it did, the wealthier of the New-Christians would seek to get out of reach of an institution whose habitual atrocities were matters of common information throughout the entire peninsula, and which there was no reason to hope would be more humane in Portugal, where, even before, the spirit of persecution had already been manifesting itself with such violence. The declining country, overloaded with public debt, deficient in education and industry, would lose capital, men devoted to the cultivation of the sciences, skilled artisans, and wealthy taxpayers; in fine, a large part of that which goes to make up the backbone of civil society, the middle class. It is certain, however, that a remedy for this was sought in the most shameful of all acts of human cowardice; by conduct similar to that of the sturdy and armed assassin, who lies in wait for the weak and unarmed victim at the road crossing at the dead of night and stabs him in the back. Dom João III had confirmed, between 1522 and 1524, all the privileges of the Hebrew people, and among them those which extended the guarantees of individual security and material immunity until 1534. Although it would have been an indignity to have revoked these confirmations, it was a thing entirely within the range of his absolute power; but to leave them in the assurance that the law protected them, and to order that there should be obtained secretly⁶⁹ in 1531 a thing that not only invalidated all of these concessions, but also positively set up all that was contrary to them, intolerance, spoliation, arrest, and execution, in such a manner that the victims of treachery could not even escape from the country, owing to the unexpected character of the event, is simply a deed without a name. And on the head of such a king as this rested the crown of Dom João I, the heroic and loyal soldier of Aljubarrota!

⁶⁹ "I recommend and direct you, as quickly as you can, with all dispatch and secrecy to request"—*Ibid.*

Brás Neto, the ambassador, especially accredited and instructed to deal with this delicate subject, submitted to Clement VII the request of his sovereign. Detailed records have not come down to us of all the phases through which the business passed. We know, however, that Cardinal Lorenzo Pucci, one of the most influential persons in the Roman court, to whom the Portuguese ambassador thought best to communicate it, showed great unwillingness to help in bringing the matter to a favorable conclusion. Such an attempt seemed to him to disclose a purpose to rob the Hebrew people of their wealth, betraying the same idea as was attributed to the Spanish Inquisition.⁷⁰ His opinion in regard to the method of dealing with the New-Christians was that those who wished to return to the old faith should be allowed publicly to profess the religion of Moses, while those who preferred to remain in the fold of Christianity should be rigorously punished if they were not true to the faith.⁷¹ Although Brás Neto pointed out the scandal that would be produced by the granting of such a privilege to the Jews, the cardinal remained firm in his views. As he said, the violence perpetrated at the time of their conversion weighed heavily upon him. Was that really the reason for the unwillingness of the old cardinal? The agent of Dom João III suspected that it was not. He knew that, in spite of the secrecy that had been urged, the matter had become known in Lisbon before his instructions were sent. He suspected that Pucci's opposition proceeded from this fact. There was living in Rome a Portuguese Jew named Diogo Pires, who had been secretary of the members of the council of the Court of Requests (*Casa da Supplicação*), and who had left Portugal for Turkey in order that he might abjure the baptism that had been imposed upon him. Coming to Rome, he had obtained a brief from the pope directing that no one should molest him on that account, and he was living there with a great reputation for sanctity among the other Jews, to whom he was in the habit of expounding the Mosaic doctrines. Diogo Pires had access to the pope and the cardinals, and the ambassador was afraid of him, not only on account of his personal influence, but also because the converts in Portugal, with whom he kept up friendly relations, might send him money to thwart the designs of Dom João III by means of bribery, and Brás Neto suspected that some

⁷⁰ "I spoke to Santiquatro on this subject; I found him rather hard to deal with, and he told me that it seemed that the matter was planned to take advantage of these people and to seize their property, as was said of those of Spain."—Letter from Brás Neto to the king, June 11, 1531, in the "Corpo Chronologico," Part 1, M. 46, No. 102, in the National Archives. This document, which is partly torn, lacks the signature, but it is the original in Brás Neto's own handwriting.

⁷¹ "And whoever wished to remain should remain, and let them be flayed alive if they did what they should not."—*Ibid.*

nephew or valet of Pucci, or of the pope himself, was mixed up in the affair. He hoped, however, to overcome these obstacles.⁷²

There was one difficulty, however, that seriously interfered with the progress of the affair. In order to facilitate matters, it was necessary above all things to set up the Inquisition in Portugal in a manner similar to that of the Spanish Inquisition. The petition to the pope ought to be drawn up not exactly according to the instructions of Dom João III, but in harmony with the concessions made by the popes to the Catholic monarchs, an important precedent to which appeal could be made. These bulls relating to Spain, however, were not to be found in the pontifical registers, though the ambassador had paid liberally to have them sought for there. This raised an obstacle to the official handling of the subject, at least in a decisive way, so that it became necessary that the king should secretly get a copy of them from Spain and send the transcript to Rome, where there was only one bull found relating to the Inquisition against the heretics of Germany, a bull the provisions of which did not satisfy the postulates of the instructions, but in accordance with which it was, nevertheless, resolved in the meantime to make the request subject to amplification as soon as the copies asked for should arrive. Finally, Brás Neto requested the king to supply him with the most powerful means of hastening such matters in the Roman curia, the necessary money; for he could not find any one willing to advance it on letters drawn against the exchequer of Portugal.⁷³

Whether the expected copies of the bulls of Sixtus IV and Innocent VIII were found at Rome, or whether they came from Portugal, after having been obtained in Spain, we do not know. But certain it is that in the early part of August the business of the Inquisition was fairly well advanced. What Brás Neto complained of was the lack of money. Pucci, as it seems, had modified his opinions. At this time Brás Neto, far from finding difficulties on his part, regretted that a very serious illness prevented Pucci from serving in the curia, where his absence delayed the affairs of Portugal. He feared that still greater difficulties would spring up if Pucci should die, and this he feared in view of his advanced age.⁷⁴ These fears were well founded, for the cardinal died the following month. If we are to believe contemporary records, the Roman curia lost in him a man whose prominent characteristics were pride and insatiable greed. He had such a reputation that in Spain they had refused to accept as nuncio a nephew of his, an insignificant man in himself, but one who would have

⁷² *Ibid.*

⁷³ *Ibid.*

⁷⁴ Letter of Brás Neto to the king, August 1, 1531, in the "Corpo Chronologico," Part 1, M. 47, No. 2.

been able, in league with his uncle, to have plundered right and left. Right there in Rome he was accused before Adrian VI of trafficking in indulgences without the least disguise, an accusation which, as may easily be supposed, the curia suspended.⁷⁵ Antonio Pucci, one of the nephews of whom the Portuguese ambassador was afraid, was promoted to the cardinalate in his uncle's place, and given the same title of the Four Crowned Saints (*Santiquatro*). We shall find the new cardinal figuring as the protector of Portugal⁷⁶ in the various phases through which the final establishment of the Inquisition passed during so prolonged a period.⁷⁷

While, as it seems, the New-Christians had no one who could officially advocate their cause at Rome as their representative,⁷⁸ there were many counsellors of Clement VII who opposed the granting of the request. Notable among them were Cardinal Egidio and Geronlamo de Ghinucci, bishop of Malta, afterward raised to the cardinalate by Paul III. The pope seemed to be inclined to accede to the opinion of these counselors of his, or, at least, he did not contest the arguments they put forward. The opposition of these prelates, however, as we shall see, was rendered ineffectual by other influences. Meanwhile they refrained from coming to a decisive settlement of the affair, either because they frankly failed to come to an understanding in regard to it, or because they awaited an occasion when both these men should be absent in order to decide it finally.⁷⁹

Whether it was because the king did not consider the ambassador Brás Neto active enough to push as he wished an affair upon which so much depended, or whether it was for some other reason, certain it is that a new diplomatic agent was sent to Rome in September, 1531, in the person of Luiz Affonso. Matters had reached such a stage before the death of the elder Pucci, however, that the outcome of the undertaking was thought to be assured; at any rate the record that has come down to us of the departure of Luiz Affonso for Rome at this juncture tells us that he took with him the nomination of the king's confessor, Diogo da Silva, a friar of the order of Saint Francisco de Paula, as inquisitor-general, and letters to Cardinals d'Osma and Santiquatro, in order to further the rapid dispatch of the business. The nomination of the inquisitor-general proves that the

⁷⁵ Ciacconius, *Vitae et res gestae Pontificum*, Vol. III, col. 338.

⁷⁶ Any cardinal of the most influential members of the Roman curia, selected by the government of a country to act as its agent and attorney with the pope, or with the consistory, was called its protector. The price at which attorneys of such rank were obtained may be imagined.

⁷⁷ Ciacconius, *op. cit.*, Vol. III, col. 522.

⁷⁸ "*Nec aliquo . . .*"—"And there being no one sitting in the curia at that time to speak for these unhappy men."—"Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 23 v.

⁷⁹ *Ibid.*, marginal note.

pope did not leave the filling of that office entirely to the king's pleasure as requested; but it also proves that Dom João III was sure that, so far as the Roman curia was concerned, the concession of the tribunal of faith in Portugal was a settled matter.⁸⁰

In fact, on December 17 a bull was dispatched addressed to the Minim, Friar Diogo da Silva, whereby the pope appointed him commissary of the apostolic see and inquisitor in the kingdom of Portugal and its dominions. The grounds on which the bull was based were that the fatal examples set by many New-Christians of returning to the Jewish rites which they had abandoned⁸¹ having become common, and others having embraced those rites who, being born of Christian parents, had never followed that faith, and the increasing dissemination in the kingdom of the Lutheran sect and of others equally condemned, and also the use of sorceries reputed to be heretical, the necessity had been recognized of eradicating the evil with a prompt remedy, in order that the gangrene should not taint men's minds. In view of these considerations the pope invested the said inquisitor with extraordinary powers, giving him authority to examine, and when there was sufficient evidence, to arrest and imprison, condemn and impose penalties (in agreement with the diocesan prelates, or without that agreement if they, when appealed to, refused to intervene) on any persons implicated in such offenses, whether directly or indirectly, without exception of any individual whatsoever, regardless of his rank, quality, condition, or church relationship, appointing a fiscal attorney, notaries, and other necessary officers, to be used by him in the fulfilment of the functions entrusted to him in such a way as best to further the ends of the Inquisition, enabling him to choose clergy or friars for that purpose, without being dependent upon the permission of their respective superiors. He empowered him also to intervene in and bring to a conclusion, in concert with the ordinary prelates, all cases relating to the offenses mentioned in the bull that had previously been commenced by the bishops, and to summon any of them to co-operate with the diocesan bishops when it might become necessary to degrade from his orders any ecclesiastic guilty of crimes against the faith, constraining the reluctant to obedience by judicial means and calling in the aid of the secular powers. He gave him authority to absolve, after abjuration and oath not to relapse, any persons whatever who had fallen into the offenses provided against in the bull, imposing upon them whatever penance he thought proper whenever it seemed advisable to him to do so, admitting the defendants to the pardon of the Holy

⁸⁰ Sousa, "Annaes," *Memorias e Documentos*, p. 375.

⁸¹ "*Ad ritum judaeorum . . .*"—"To the rites of the Jews, which they had abandoned."—Bulla *Cum ad nihil magis*, December 17, 1531, in Package 2, No. 6 of Bulls and in Drawer 2, M. 1, Nos. 35 and 44, in the National Archives.

See and to the unity of the church, and abating the canonical penalties. Finally he empowered him to do in this respect whatever he might deem to be expedient in order to restrain and entirely to extirpate religious offenses, and to do everything else that, by law and custom, might appertain to the inquisitorial office. In order that the execution of these tasks might be facilitated, the inquisitor-general was authorized to appoint suitable ecclesiastics as his delegates, provided that they were persons of established reputation, or were masters of theology, doctors or licenciates in civil or canonical law, or members of some ecclesiastical chapter, transferring to them the same faculties and jurisdiction as had been conceded to him, and being able to dismiss them and replace them by others whenever he chose. To this end the pope suppressed the provisions and apostolic decrees that were in conflict with the purposes of the bull, and revoked all the private privileges conceded by the pontiffs that were in the same condition and that might in any way impede or retard the effects of the provisions contained in that charter.⁸²

Such were the bases upon which the Inquisition was established in Portugal as a permanent institution. The grounds upon which the bull of December 17 was based were, as the reader has just seen, partly false, partly misleading, and partly ridiculous. Nothing could be more ludicrous than the gravity with which men of the century of Leo X, the most brilliant era in the science and literature of Italy, sought to prevent the Portuguese from being bewitched by witches and enchanters, whose shortcomings were, at most, mere frauds, the punishment for which properly belonged to the civil power. To say that the dissident sects then spreading over Europe had penetrated into Portugal was a thing so contrary to the truth that in the documents of the country, whether public or private, relating to that period, it is not possible to find the slightest trace of such a fact. As for the Jews, the wording of the bull is inaccurate and misleading in the highest degree. They had not departed from the law of Moses; they had been brutally torn away from it. Though practicing Judaism, they were not returning to Judaism; they simply remained unchanged in their belief. On the other hand, what persons were these who, born in the bosom of Christianity, were exchanging the religion of Golgotha for that of Sinai? They were the sons of the supposed converts; they were the sons of those men who, in order to escape persecution and death, had carried them to the baptismal font without believing in baptism, and who, after a ceremony that to them was a mere mockery, brought them up in the religion of their ancestors. The only ones to blame for such sacrilege were the hypocrites and fanatics who substituted intolerance for the free-

⁸² *Ibid.*, and Brief to Friar Diogo da Silva, dated January 13, 1532, in M. 2 of Bulls, No. 13.

dom and gentleness of the gospel. There was a shameful ambiguity in the language of the bull. Those who secretly Judaized, and were only in appearance followers of the gospel, were not regarded as Christians. They had come to be apostates. But as to their children, it was enough that they had been brought to the font, without any belief in baptism, for them to be considered good Christians, and therefore for the sacrament to be valid. The same circumstance of outward forms was valid or invalid according as it was for or against them.

It must be admitted that in the provisions of the bull of December 17 the Roman curia had succeeded in avoiding, to a certain extent, the absurdity contained in the instructions sent to Brás Neto, according to which the king wanted to make the inquisitor-general exclusively an instrument of his own, and through him, to exercise an absolute sway over the consciences of his subjects. Although the selection of the person to be entrusted with the office at that juncture had been suggested from Lisbon, officially he was selected by the pope, who could dismiss him, suspend him, or replace him without a general repeal or even modification of the new institution. The instinct of self-interest and jealousy of his own power had been enough to put the Roman curia on its guard against such demands. This point being thus altered, these humiliating conditions that were imposed upon the episcopate, and this position of inferiority in which it was placed in relation to the Inquisition, so far from offending the curia, offended only the primitive traditions of the church, while they indirectly increased the power of Rome. Reserving the concurrence of the diocesan prelates in the trial of cases subject to the new tribunal, but leaving the extent and limits of that concurrence uncertain, and referring vaguely to law, customs, and expediency, the pope opened a vast field to conflicts and questions of jurisdiction, the decision of which belonged to him. Like Moses, when he smote the rock with his rod, he created a rich fountain of business and profit resulting from the doubts and antagonisms that were certain to arise. If the bull of December 17 was not remarkable for the solidity of its grounds or for the principles of justice and good discipline contained in its most important provisions, it was none the less a monument worthy of an ingenious and farseeing policy.

While these things were going on, Dom João III did not forget to take steps to have the first proceedings of the Inquisition noised abroad, and to show the necessity of the remedy, by the number of victims and by the proofs of the gravity and extent of the evil. The means used to attain this end were similar to those that had hitherto been used to find facts that would help in securing the establishment of the tribunal—that is to say, revelations clandestinely obtained. This constant system shows, however, that the spiteful vigilance of an exalted fanaticism continued to

fail in finding positive and overt actions on the part of the New-Christians that would justify the implacable animosity of their enemies. The king addressed a letter to the members of the Inquisition of Seville, which was the headquarters of that terrible institution, asking that they send him any information they might have about the Judaizers, whether Spanish or Portuguese, resident in Portugal. The inquisitors hesitated. They feared that, if proceedings were taken in this country with less prudence and secrecy, from lack of experience in inquisitorial customs, the defendants arrested, especially the Spaniards, who, having succeeded in escaping, had been put to death in effigy, might discover who had been their denouncers in Spain, and who were the witnesses who had sworn against them. The protectors and friends of many of the refugees still left there might thus carry out secret acts of vengeance, which, by intimidating others, might hamper the flow of denunciations and thus lessen the efficiency of the tribunal. They therefore took a middle course. They offered the Portuguese ambassador, Alvaro Mendes de Vasconcellos, through whose hands the business had passed, to furnish him with copies of the confessions and depositions of certain Jews, who, having been condemned for contumacy and burned in effigy, had escaped to a place of safety by going to Portugal. As to the other matters, they allowed the ambassador and other Portuguese gentlemen then at the court of Spain to examine the records of the trials and to take such notes from them as they thought necessary in order to give Dom João III secret information of what he wished to know.⁸³

In view of what had taken place in Portugal before the result of the solicitations made in Rome was known, it is easy to foresee the consequences of the publication of the bull of December 17. The privileges and guarantees of the New-Christians, which the civil government had conceded and confirmed from 1507 onward, disappeared before that pontifical decree, requested and therefore eagerly accepted by the temporal power. It was not simply the essence of the right of protection that was invalidated; the very forms of judicial procedure were annulled. Denunciations, imprisonment, and the order of trial were all to be regulated by a new system, and all this had now been entrusted to the caprice of the inveterate enemies of the converts. But it was not only the new tribunal and the new judges, the systematic and regular persecution, they had to fear; it was also the accumulated hatred threatening them, that could now

⁸³ Information Given to the Ambassador Alvaro Mendes by the Inquisitors of Spain, etc. (undated), Drawer 2, M. 1, No. 17. From the context of this document it is inferred that it was written before there was an Inquisition in Portugal, and Alvaro Mendes became ambassador to Spain in September 1531. (Visconde de Santarem, *Quadro Elementar*, Vol. II, pp. 69 *et seq.*) The document, therefore, belongs to the last three months of that year.

show itself openly; it was the popular fanaticism, exalted by its triumph and assured of the favor of the head of the church as well as of the head of the state. Nothing was easier than to renew the scenes of 1506, and, if anything could mitigate the fury that was being unchained, it would be the excessive severity of legal persecution. In view of the popular exasperation, the only means of restraining anarchy consisted in offering victims enough on the altar of intolerance; it consisted in the substitution of an impassive, but active and inexorable, cruelty in place of the turbulent ferocity of the fanatical rabble.

It was not until February 1532 that the papers necessary for the establishment of the Inquisition as outlined arrived in Portugal.⁸⁴ However great the desire of the king and his counselors to realize as soon as possible the designs they had cherished for so many years, the final organization of the new tribunal still lacked provisions indispensable for its regular functioning, seeing that the bull of December 17 did not indicate, and could not indicate, the means of putting it into effect. On the other hand the information sought from the Spanish Inquisition was dependent upon the examinations proposed by the inquisitors, examinations that were bound to be long and tedious. These circumstances, quite independent of any others, will of themselves explain to us the absence of all traces of the publication and execution of the bull of December 17, at any rate during the first six or eight months of 1532. If, however, we are to believe the accounts given years afterward by the New-Christians to the Roman curia, that important document was carefully concealed until the completion of the series of treacherous and violent acts which had hitherto been perpetrated against them. Although allowances should be made for the assertions of the converts, because the conduct of their implacable enemies gave them an excuse for using every kind of weapon, yet the special reason to which they attributed that delay is highly plausible. That reason was the publication of a law that was in preparation, and which was to have been put in force at the same time, not only in the maritime towns of the kingdom, but also in those which bordered on the frontier between Spain and Portugal, and that too before the Inquisition should begin to exercise its terrible functions.⁸⁵

⁸⁴ As we have already seen above, the special brief to Friar Diogo da Silva, asking him to accept the office of inquisitor, is dated January 13, 1532.

⁸⁵ "*Rex vero . . .*"—"But the king, or rather his counselors, or the brothers aforesaid, the future inquisitors (as they believed), considering that if they published the fact that the Inquisition . . . had been granted all the New-Christians would leave those kingdoms as lands of cruelty, induced the said king, before any of them had had notice of the said Inquisition, to enact and publish a tyrannical law and a mandate, or yoke of slavery against those wretched people; and so it was done."—"Memoriale," *loc. cit.*, folio 24 *et v.*

This law finally appeared on June 14 of that year. It amplified and put in force once more the proclamations of April 20 and 21, 1499, reviving at the same time the strict observance of the law of the kingdom, which, in harmony with the limitation imposed by the law of March 1, 1507, forbade the migration of New-Christians to Africa.⁸⁶ This law, however, was indirectly repealed in so far as it favorably affected the Hebrew race. All members of that race, both Portuguese and Spanish, whether they were original converts, or the children or grandchildren of such, were prohibited from leaving the kingdom, not only for the countries of the Moors, but also for any country where Christianity predominated. Even emigration to the Azores, or to other Portuguese islands and colonies, was prohibited. Persons more than seventeen years of age who violated this law were threatened with death and confiscation, while those below that age were to be arbitrarily punished. Those who gave them help, or conducted them beyond the Spanish frontier, were to suffer banishment and loss of their property, while captains and masters of ships that carried them over the sea to other countries in Europe, besides losing their possessions, would be condemned to death. The penalties of banishment and confiscation were decreed for the New-Christians who sent their property to other countries, and against any persons who carried it for them; they were forbidden to obtain bills of exchange for outside the kingdom without first making a declaration before the magistrates, giving, besides, a guarantee that within the space of a year they would bring into the ports of the kingdom merchandise equal in value to the amounts drawn upon the foreign markets. Finally, all individuals and corporations were absolutely forbidden to buy real estate or any income-bearing property from the New-Christians, upon pain of forfeiting the purchase to the exchequer, the buyer and seller alike paying a fine equivalent to the amount of the transaction. The effects of this law⁸⁷ were to remain in operation for the space of three years, the period dating from two days after its publication in the capital and the chief provincial towns (*cabeças de*

⁸⁶ See above, pp. 161 *et seq.* [of the original], "Ordenação Manuel," Book 5, Vol. LXXXII, sec. 1.

⁸⁷ Figueiredo, *Synopse*, I, 346. Authentic copies of this law inserted in the documents published in Entre Douro and Minho in Alentejo and in Algarve, are in Drawer 2, M. 1, No. 41, and in M 2, No. 47, and Drawer 15, M. 2, No. 14, in the National Archives, and elsewhere. In the *Symmicta Lusitana* (Vol. XXXI, folio 168 v.) a Latin version is inserted with the date May 14, and at the end *Petrus de Leacova fecit*. This is evidently the Latinized name of Pedro d'Alcaçova, who was already beginning to appear as the secretary of Dom João III. Perhaps this version was made from some copy furtively obtained by the New-Christians. On such a hypothesis, the date May 14 would be that of the rough draft of the law drawn up a month before its publication.

comarca), and after an interval of eight days in the minor districts (*termos*) of each of them.

The publication of such a law was the finishing touch to all that had preceded it. In part it was frankly despotic; in another respect it was a model of bad faith. Its preamble had one merit rare in the legislation of that period—simplicity. The king had learned that many New-Christians were going to Christian lands and would pass thence to those of the infidels. That was the ground for all of those barbarous provisions. Nothing, however, was more natural. Of those who left the country a large number undoubtedly still kept the faith of their ancestors or of their own childhood, and would therefore seek a residence in places where they would find the greatest degree of tolerance on the part of the dominant religion. But what they were doing now they had always done, and that fact had not prevented Dom Manuel from conceding them the liberties of 1507 and extending them till 1534, nor had it prevented him, as a legislative king, from confirming by successive and spontaneous enactments the just and judicious concessions of his father. Considered in the light of the material prosperity of the country, and even in that of the interest of religion, these concessions had obviously been salutary. The privilege of leaving the kingdom with their families and their property must have been taken advantage of by those Hebrews who were most extravagant in their beliefs; by the fanatics of the Mosaic religion, which undoubtedly had fanatics, like all other religions. Those who remained were either so indifferent that they accepted the mask of Christianity, outwardly denying their own faith, or else they were persons sincerely converted. Deserted by the most ardent sectaries, and compelled to forego the outward form of worship, which are indispensable for the preservation of any religious doctrines whatever in the minds of the lower classes, the Portuguese Hebrews had no chance of avoiding a complete religious transformation within a certain period. One of the most significant signs of this is indeed already shown in various documents of this period written by their adversaries. It is the accusation that many of them were neither Jews nor Christians. This transitional phase was obviously inevitable. Thus tolerance would have been fatal to Judaism, whereas the fires of the Inquisition served only to strengthen it for a passive but energetic struggle for nearly three centuries, perpetuating it by the most prolific of all agencies in any belief, whether religious or political—the blood of the martyrs. The economic effects of this tolerance would have been no less important, for the reasons that we have already more than once considered. So true is it that the teaching of the gospel, in its pure and beautiful simplicity, is the best fitted to develop on earth, not only the moral welfare, but also the happiness and material progress of civil society.

The reader will recall the opinion held at Rome, and which was at the outset voiced by Lorenzo Pucci, a man well versed, as we have seen, in the business of extorting money under the guise of religion, that the demands of Dom João III regarding the establishment of a tribunal of faith were mainly inspired by the idea of robbing the Hebrews, who formed the wealthiest class in the country. The law of June 14 seemed intended to justify that opinion. With regard to its provisions by which individuals of the Hebrew race were placed, as far as their property was concerned, outside of the common law, that is to say, by which a penalty was imposed upon them before they had been proved guilty, the preamble of that legislative document gave no explanations whatever. In view of the violent means employed to prevent every kind of sale of property that they might try to bring about, and the rigor with which they were forbidden to send their capital, or any part of it, out of the kingdom, it might well be thought that the instigators and partisans of the Inquisition were persuaded that the impious law of Sinai⁸⁸ had already affected with its errors the fields, trees, furniture, and, above all else, the coffers of persons belonging to that accursed race. It was not only necessary to compel men to believe what was repugnant to their convictions, but it was necessary to Christianize their property for them. When convicted of heresy before the new tribunal, they suffered the loss of their goods, besides other canonical and civil penalties, and the exchequer, completing the work of the inquisitors, would proceed to spread want and hunger among the families of the victims along with the agonies of grief and disgrace caused by the execution of parents, husbands, and brothers.

In spite of all the dissimulation employed and however great care may have been taken to conceal the contents of the bull of December 17, it was impossible for the New-Christians to remain in ignorance of it, seeing it had not been possible to hide from them the efforts being put forth at Rome to obtain it. But though they did not know the full extent of the danger that threatened them, the law of June 14 was like a torch of sinister light illuminating the gulf that opened at their feet. The promptness, almost incredible, considering the difficult means of communication in those days, with which it was published in every corner of the kingdom revealed the determination that its provisions were not to remain an empty

⁸⁸ One of the strangest things in the documents of that period relating to the establishment of the Inquisition is the variety of the abusive terms directed against the Mosaic religion, a religion established by God and sanctified in the divine pages of the Bible, though afterward abrogated by Christianity. Accusations of lying, impiety, imposture, and blasphemy are among the mildest terms used. Such were the blind fury of fanaticism and the impudence of hypocrisy.

threat.⁸⁹ What must have been the terror of these people, who had lately received so many proofs of the popular ill will, when they saw themselves suddenly shut up in the country as in a vast prison, may be easily imagined. In years past, when the acts of violence we have already described began to break out in different places, the New-Christians had appealed to the king to have their privileges maintained, and had found in him, if not good deeds, at any rate the good words of dissimulation. Convinced that there was nothing left to hope for, some of the more farseeing of them had left the country⁹⁰; but the majority still believed that the king would not venture to violate public faith by placing himself openly at the head of the persecution. The law of June 14 was a cruel awakening for them. The Inquisition, with all the atrocities of which the rest of the peninsula was the theater, rose before their eyes like a specter. For them the prospect of the future reduced itself to death, and to death alone.⁹¹ The boldest of them, in spite of the severity of the penalties imposed upon those who should try to escape the fate that awaited them, attempted to flee, some successfully and others unsuccessfully. If we are to believe the memoirs written by the New-Christians, the barbarities practiced upon those who were caught in the attempt were such that they considered living in Turkey, or even in the society of devils, preferable to living in Portugal.⁹² Assuming that there were occasional exaggerations in the complaints of the persecuted Jews, it is certain that the facts so far narrated, the hatred of the people and the spirit that inspired the provisions of June 14, enable us to appreciate the terrible difficulties that those who attempted flight would have to be overcome, and what the consequences would be for those who were caught in the attempt. The more conspicuous or wealthier they were, the more difficult it would be for them to escape, for the more closely were their steps watched. Such an undertaking was quite impossible for those whose fortunes consisted of landed property, for they had no means

⁸⁹ From the documents of its publication in Braga and in many other municipalities of Entre Douro e Minho, it is seen that the law arrived there three days after its promulgation in Setúbal; and from the documents relating to Alentejo it is known that at Elvas and other frontier towns it arrived within two days. Drawer 2, M. 1, No. 41, and Package 2, No. 47, in the National Archives.

⁹⁰ "*Qui (rex) bona . . .*"—"Who (the king) with fair words, but quite the opposite kind of deeds, caused them . . . such great uneasiness of mind that some of them, foretelling what would happen and perceiving the lurking indignation, or rather the corrupt disposition of the king, withdrew from the said kingdom."—"Memoriale," *loc. cit.*, folio 21.

⁹¹ "*Seipsos pro . . .*"—"They rightly counted themselves as dead."—*Ibid.*, 27 v.

⁹² "*Et in quamplurimum . . .*"—"And in many cases those who had fled suffered such treatment when caught that it was surprising they did not take refuge, not in the dominions of the Turks, but in the abode of devils."—*Ibid.*

of raising the large sums that would be necessary to bribe the public officials, or to induce the Old-Christians to put them in a place of safety. Such being their position, the first expedient that occurred to them was an appeal to the king. The grounds for such an appeal were so obvious and so unquestionable that, for that very reason, they proved useless. Dom João III and his ministers well knew that the law of June 14 meant the violation of all public faith, violence carried to the point of tyranny, and the flouting of the common law. His course of conduct had not proceeded from ignorance; it was the result of deliberate purpose. And so to appeal to morality, to law, and to the prerogatives of civil liberty, was, in the eyes of the government, to beg the question. It was useless. The king had put himself above all that, and, slandering religion, had condemned in its name every idea of morality and right. As might have been foreseen, the efforts of the New-Christians to obtain the repeal of the law were entirely in vain.⁹³

One last recourse was left them—to appeal to the Roman curia, for the matter was involved, at least ostensibly, in a question of religion. They tried it. We must, however, appraise the value of this expedient. Its first consequence was to exasperate the king, and to make him all the more determined to carry out the plans he entertained.⁹⁴ Being associated and organized for self-defense, as we have already seen they were, and possessing enormous wealth, they had the means of creating a party of their own in Rome, a party that would naturally find there disinterested sympathy among just and sensible men who were animated by the true spirit of the gospel. But, supposing that this party should succeed in inclining the pontiff in favor of the New-Christians, whatever results might flow therefrom would rather tend to embarrass and irritate their adversaries than to save themselves. It was evident that the civil power did not hesitate at any considerations of a moral kind, and, even if by the favor of Rome they should succeed in avoiding the horrors of the Inquisition, the king and the instigators of persecution would not lack means for carrying out, in some other way, their plans of extermination.

Meanwhile the publication of the law of June 14 was producing in the minds of the people the effects that were readily foreseen. News of the bull of December 17 had necessarily leaked out and spread all over the

⁹³ "Memoriale," *loc. cit.*, folio 28.

⁹⁴ "*Licet, aliàs, pro . . .*"—"Although, moreover, they were well aware . . . that the king himself would treat and confine those same New-Christians, and especially their chiefs, with more harshness and bitterness if they had recourse to the apostolic see, yet, seeing they had no other means of safety, they laid aside all fear in order to obtain redress from the Vicar of Christ . . . and cried with one voice, and forthwith applied to the said Clement."—*Ibid.*

kingdom, in a more or less distorted form. The sectaries of intolerance who had access to the counsels of the monarch, and who even urged him forward, could not long resist the temptation to make known their triumph. The promulgation of the law confirmed these vague rumors. The common people, impelled by fanaticism and by base passions, and already accustomed to insulting New-Christians, were roused and began to commit fresh excesses. The scenes formerly enacted in Gouveia were repeated in various places. Lamego became one of the chief theaters of these scandals. The picture of what happened there will give us an idea of the scenes that were enacted in darkness elsewhere. Scarcely had the ordinance forbidding converts to leave the kingdom been published there when the word went round of what such a step meant. It was said that it was the idea of the king to establish the Inquisition and to order them all burned. The lower classes remarked that there would be no need of building new houses, for it would be easy to find homes in the vacant dwellings of the Jews. Meetings were held in which it was discussed who was to have this or that piece of property, or the household goods of this or that New-Christian, and lots were cast for their town houses. They loudly accused the king of indifference, because he did not have them all put to the sword, without waiting for long trials. One said he was planting trees to grow wood with which to burn them; another, that he had to sharpen his sword so as to be armed as a cavalier on the day of slaughter. The country people who came to market took part in these ferocious jests of the town mob, stating that the fagots of vine branches were all ready for lighting the fires, and that they would leave as an inheritance to their children the persecution of the Jews with fire and sword. There was even someone who affirmed that all his relatives were ready to go to swear against them. The more moderate contented themselves with attributing to the king the intention of ordering them all to the stake within three years, regretting that the period was not shorter, so that they might the sooner buy their property at a low price. At first they insulted them only indirectly by sending young men to sing threatening and insolent songs beneath their windows; but the authorities themselves feared that these demonstrations might be carried too far. And so it turned out. Availing themselves of a temporary absence of the chief magistrate of the city, various groups assembled at dead of night in the principal street, which was largely inhabited by New-Christians. These groups were not made up entirely of the people of the lower classes; they had been joined by persons of the higher classes. There they broke forth in outcries condemning the New-Christians to the flames. Stigmatizing them as infidel dogs and Jews, they shouted aloud that their property belonged to them, and that their wives and daughters ought to be handed over to them to

be violated, after which they might all be thrown into the flames. News of the uprising having spread, the constable (*alcaide*) marched with some of his force to the Rua Nova; but he could not arrest any of the rioters, because they boldly resisted him, until they thought fit to withdraw.⁹⁵

The detailed narrative of these disorders, of which authentic proofs exist, confirms us in the idea suggested by so many other facts, namely, that beneath the cloak of fanaticism were concealed, if not the most atrocious passions, certainly the basest. These passions were displayed with effrontery as soon as the masses were convinced that what we may call official persecution of the Hebrew people was about to be organized. We know that even in the Azores and Madeira, those little tracts of land lost, as it were, in the solitudes of the ocean, these insults were repeated and also accusations of Judaism, in support of which testimony was quickly forthcoming that afterward proved to be false.⁹⁶ What happened to the New-Christians of Lamego afforded a sad proof that the most scrupulous respect for the dominant religion, and conduct most worthy of good citizens, gentleness and charity toward their fellow-men, any of the virtues, in fact, that make a man respected and esteemed, were useless for those who had the misfortune to belong to the proscribed race. These families, insulted, and threatened with spoliation, dishonor, and death, by groups of persons among whom were many who did not belong to the lower classes, received a few days later a solemn and unexpected proof that, even admitting the legitimacy of intolerance, they did not cease to deserve the respect and good will of all those who did not hide beneath the cloak of zeal for the Catholic faith ignoble designs of robbery, licentiousness, and murder.⁹⁷

It was in the midst of this renewal of popular persecution, and after all the ordinary means of preventing the execution of the bull of December 17 had been exhausted, that the converts had resolved to seek a remedy for the evil by having recourse to the pope. For this purpose it was necessary to send to Rome an active and able man, to whom should be entrusted the arms which the Hebrew people could make use of in self-defense, and

⁹⁵ "Instrumentum Lamecense," *Symmicta Lusitana*, Vol. XXXI, folio 178 v.

⁹⁶ This is shown by the judicial documents presented by the New-Christians in Rome, in 1544, found in the *Symmicta Lusitana*, Vol. XXXI, folio 137 *et seq.*; and concerning what took place in the kingdom, besides the document relating to Lamego, there are those to be found in folio 109 *et seq.*, 116 *et seq.*, 119 *et seq.*, and 151 *et seq.*, some of which we shall have occasion to use.

⁹⁷ At the judicial inquiry made at Lamego on July 17 into the life, customs, and religion of the New-Christians abundant evidence was given in their favor by many persons, among whom were noblemen, knights, and clergymen, the governor of the city, the mayor, the warden and superior of the Franciscans, Dom Christovão de Noronha, the father-in-law of the Marquez de Villa Real, the precentor of the cathedral, etc.—*Symmicta Lusitana*, *loc. cit.*

which consisted principally of abundant supplies of money. For this purpose they selected a New-Christian named Duarte da Paz, whose origin is obscure. All we know about him is that he held an office of some importance of a judicial or administrative kind, and that he was a knight of the Order of Christ, a dignity that he probably obtained on account of his services in Africa, where, it seems, he had lost an eye. This man, whom we shall see taking part for ten years in the long struggle for the establishment of the Inquisition, having been baptized by force or having received the sacrament before reaching the age of reason, and then apparently brought up openly in one creed and secretly in another, had found himself at last, as happened to so many others, with no religion at all. That, at any rate, is the inference to be drawn from the latter part of his life. Generous in his dealings, a bold gambler, daring, astute, eloquent, and energetic, Duarte da Paz had the gifts best adapted to carry out his designs in the Roman curia.⁹⁸ Furnished with instructions and the necessary funds, he awaited a favorable opportunity to leave the country without danger. This was not long in presenting itself. The king, who had already more than once made use of his skill in difficult commissions, needed to make use of it in an important matter abroad, the nature of which we do not know. It was on the day of his departure that this astute New-Christian received the rank of knight. But instead of going to the place whither he was sent, he went to Rome, and there began to plead the cause of the converts, though he did not present himself openly as their representative.⁹⁹

Ever since the establishment of the Inquisition in Portugal had been considered by Clement VII, the pontifical court had also been thinking of sending to Lisbon a trustworthy man in the character of nuncio.¹⁰⁰ For many months there was uncertainty about the choice; but at last Marco Tigerio della Rovere, bishop of Sinigaglia, was appointed. He set out from Rome toward the end of May 1532 and reached Portugal early in September of the same year.¹⁰¹ On the other hand Dom João III arranged

⁹⁸ This sketch of Duarte da Paz is taken from a letter of his to the king that we shall presently make use of, and from two very curious dispatches of Dom Martinho, archbishop of Funchal, ambassador to Rome, of March 14 and September 13, 1535, that are in Drawer 2, M. 1, No. 48, and M. 2, No. 50, in the National Archives.

⁹⁹ "Duarte da Paz no longer acts for them secretly, as he did in the lifetime of Clement, but publicly."—Letter of Dom Martinho, March 14, 1535, *loc. cit.* See also the draft of the letter of Dom João III to Santiquatro, of . . . 1536, in Drawer 2, M. 1, No. 28, where there are other particulars regarding Duarte da Paz and his departure from the kingdom.

¹⁰⁰ Letters of Brás Neto, June 11 and August 1, 1531, *loc. cit.*

¹⁰¹ Brief of May 15, 1532, in M. 19 of Bulls, No. 20; Letter of Brás Neto, June 3, 1532, in the "Corpo Chronologico," Part 1, M. 49, No. 10; Letter of the bishop of Sinigaglia to Dom João III, September 2, 1532, *Ibid.*, No. 101; all in the National Archives.

to replace the ambassador, Brás Neto, with a person better able to put into effect the energetic determination with which he was resolved to support the new institution, and who would be capable of employing with zeal and dexterity every means of defending the concessions already obtained, and which the Portuguese government well knew the New-Christians were going to resist with all their strength. The choice could not have fallen upon a better person than Dom Martinho de Portugal, the outlines of whose character we have already sketched. His past life showed him to be, in appearance at least, an exceedingly intolerant man, and time proved that he was one incapable of being impressed by any considerations that interfered with his designs. Besides this, he had had experience of the way in which business was conducted in the curia, having been ambassador there, and, as we have seen, enjoyed sufficient credit in that quarter to have been appointed as nuncio when he returned to Portugal. The appointment of the new agent was known in Rome as early as June 1532, but he only started in the last months of the year, after having been elected, it seems, archbishop of Funchal, a dignity afterward confirmed by Clement VII. Dr. Brás Neto continued to reside in Rome with him, and even as representative of the Portuguese court, at any rate until the following June.¹⁰²

The choice of the bishop of Sinigaglia as nuncio to Portugal, if not morally the best that could have been made, was the one best calculated to enable the curia to profit by the dependent position in which the inquisitorial fury was placing Dom João III. The inevitable appeals, complaints, and conflicts that were bound to arise every day as soon as the Inquisition came into operation, and even before that, could not fail to be a powerful instrument for increasing the power of the nuncio, by bringing him profit and giving increased vigor to pontifical interference in the affairs of the Portuguese church. Given the inflexible will of the king to uphold the tribunal of faith in his states and the absolute necessity for the New-Christians to oppose its permanent establishment, Rome might negotiate on the one hand with the large and wealthy group that called for tolerance, and on the other with the band of fanatics that preached persecution, in-

¹⁰² From the letter of Brás Neto, of June 3, 1532, it is seen that he expected to be superseded by Dom Martinho. In M. 20 of Bulls, No. 11, in the National Archives, is a brief of November 16, recommending to the king Brás Neto, who was returning to Portugal; but from the document in the "Corpo Chronologico," Part 1, M. 50, No. 76, it is seen that in January, 1533, he was still exercising the functions of ambassador in Rome. It was afterward that Dom Martinho began to appear in that character. The latter, however, was at Rome on November 4, as is known from the letter of Duarte da Paz in "Corpo Chronologico," Part 1, M. 49, No. 20, which we shall cite further on.

clining now to one side and now to the other, and by this vacillating policy causing the party not favored to increase its efforts, while it awoke the generous gratitude of the one that triumphed. There was no fear of going to extremes, for there was always time to pursue the opposite policy. In regard to individual questions and matters that fell to the nuncio for settlement by himself, he reaped the same advantage that the conflict, taken as a whole, would produce for the curia. Indeed, there was probably never before such an opportunity for an unscrupulous person to derive immense profits from the office which Marco della Rovere had received from Clement VII.

If we are to believe the complaints afterward brought against the bishop of Sinigaglia, he was a man well qualified, not only to look after the interests of his court, but also to give serious attention to his own. He immediately laid it down as a rule that the auditor of the nunciature should not take cognizance of appeals from the prelates to himself as the delegate of the pope without his special permission, and that permission was made dependent upon the payment of a fee.¹⁰³ He had been empowered to permit any clergyman to have two benefices when they were not mutually incompatible; but incompatibilities disappeared as soon as he got sight of their money. For him, money took the place of ecclesiastical qualifications in the administration of matters that belonged to the pope, and washed away the guilt of homicides who came within his own jurisdiction as papal delegate. On receipt of a bribe he would even permit them to continue to reside in the places where they had perpetrated crime. He devised an ingenious system for imposing fees upon benefices, which consisted in indirectly making the applicants themselves request as a favor that they might pay them to him. Otherwise he hesitated to take the money. It was not so when the fee had to be paid to one of his familiars. Then he went straight to the point; he simply and frankly imposed it. Unlawful and simoniacal compacts were drawn up right in his own house, and what is more, the proofs of these transactions were entered with remarkable candor in the registers of the nunciature, so that it is natural to suspect that the representative of the court of Rome had no fears about any future accusations.¹⁰⁴ It was in this man's eyes that the New-Christians had begun to find favor.¹⁰⁵ Considering their wealth,

¹⁰³ "Cartas Missivas," without date: M. 3, No. 291, in the National Archives.

¹⁰⁴ See the articles against this nuncio in Drawer 13, M. 8, No. 12, in the National Archives. It seems to be these articles that Dom João III refers in the letter to the bishop of Funchal, that is in Drawer 2, M. 2, No. 21.

¹⁰⁵ In the *Memorial of the New-Christians*, published in 1544, appeal is made more than once to the evidence of the bishop of Sinigaglia on the acts of injustice committed against them during this period, and allusion is even made to the protection he gave them.

noting the greatness of the danger in which they stood, and remembering the character of the nuncio, it is difficult to believe that this protection was given gratuitously; but, as it seems, the crafty Italian contrived to make it appear for a long time that he did not incline either to one side or the other.¹⁰⁶

One fact, that would be inexplicable, if corruption had not played so large a part in those times, as we shall often have occasion to note in the course of this story, favored the threatened converts more than anything else. In spite of the caution with which Duarte da Paz conducted his affairs, it had not been possible for him to conceal from the agents of the king the progress of his efforts. Besides the ambassador, Brás Neto, Dom João III had in Rome someone who could fight for his interests at closer quarters. That was Antonio Pucci, the new Cardinal Santiquatro. That the diplomatic agent of Portugal sent news to Lisbon of the plots being carried on against the Inquisition that had been granted is more than probable. We know positively, however, that the cardinal sent two couriers, one after the other, to the bishop of Sinigaglia in order to let the king know what was going on, and asking for instructions on the course to be adopted in this case. But the court of Portugal, which had made such extraordinary efforts to obtain the bull of December 17, seemed to have fallen asleep after its triumph, and neither Pucci nor the ambassador received any reply whatever.¹⁰⁷ Did Duarte da Paz know that it would not come, at least not in time to interfere with the blow he was preparing to strike? It seems so in view of the fact that he tried to remove Santiquatro's opposition to his plans, frequently visiting him and giving him to understand that he had the king's consent for the steps he was taking.¹⁰⁸ Of the causes of so strange a silence no traces have come down to us; but if we call to mind the fact that Dom João III had neither the knowledge nor the talent necessary to keep him from depending entirely upon his ministers and favorites, it will not be difficult for us to conjecture what secret means the wealthy converts could make use of right at home to help on the efforts of their representative at the court of Rome.

Meanwhile another event, no less singular, occurred in Portugal, an event which, even two years later, an able and energetic diplomat, to whom the affair of the Inquisition was especially committed, regarded as the origin and principal cause of the difficulties which afterward arose. The

¹⁰⁶ This may be inferred from the fact that it was Sinigaglia who communicated to Rome the displeasure of the king concerning the procedure of the curia when the bull of December 17 was suspended. See the letter of Santiquatro of March 14, in Drawer 2, M. 5, No. 51.

¹⁰⁷ Letter of Santiquatro, March 14, 1535, *loc. cit.*

¹⁰⁸ *Ibid.*

Minim Friar, Diogo da Silva, who had been invested with the office of inquisitor-general upon the proposal of Dom João III, when the provisions of the bull of December 17 came to be put into effect, declined to assume the responsibility of that odious office.¹⁰⁹ If the New-Christians had anything to do with the refusal, which we do not know, it must be admitted that they had had a happy inspiration. The inquisitor must necessarily have been consulted before his name was proposed at Rome, and similarly his approval must have preceded the proposal. What extraordinary motives had arisen for a refusal which must have produced a lively displeasure in the mind of the monarch? Whatever may have been the reasons that influenced Friar Diogo da Silva, there is no doubt that his withdrawal made a new nomination indispensable, and consequently the sending of a new bull, at a time when the New-Christians already had someone to plead their cause with the pontiff, and when therefore it was no longer so easy to ensnare him.

To this state of affairs was added the deep impression made upon the mind of Clement VII by the allegations of Duarte da Paz. Among them was one to which many sophisms might be opposed, but to which a clear conscience and a good heart could never find a plausible reply. It was that of the compulsory conversion of the Portuguese Jews and the solemn promises of Dom Manuel, ratified by his son. He must also have been moved to compassion by the barbarous law of June 14, which, by preventing their flight, tied them firmly to the stake. The disloyalty with which the facts that afterward morally invalidated the grounds of the petition for the establishment of the Inquisition had been omitted in that petition was in itself a more than sufficient reason for revoking the bull of December 17, or at any rate for suspending it until the matter could be considered in its true light. That was the course adopted by the pope. On October 17, 1532, a brief was dispatched,¹¹⁰ addressed to the nuncio Sinigaglia,

¹⁰⁹ "Let Your Highness consider well that in this business what has done us great harm was the non-acceptance of the office by Friar Diogo da Silva."—Letter of Dom Henrique de Menezes to the king, March 17, 1535 (Drawer 2, M. 5, No. 55, in the National Archives).

¹¹⁰ The brief *Venerabilis frater*, addressed to the bishop of Sinigaglia. It is singular that this brief is not to be found, either the original or a copy of it, in the National Archives. We have not been able to find a complete copy of it anywhere. We have, however, made use of the long extract published by Friar Manuel de São Damaso in his *Verdade Elucidada*, p. 23. It is inserted in the copy of the Inquisition case that belonged to Canon Lazaro Leitão, which the author of the *Verdade Elucidada* made use of; but, along with other documents, it is lacking in the copy of the same case that forms Volumes XXXI, XXXII, and part of XXXIII of the *Symmicta Lusitana*. In the brief of pardon for New-Christians, of April 7, 1533, Drawer 2, M. 2, No. 11, Clement VII expressly refers to this previous document.

in which Clement VII declared suspended the operation of that bull, and of any other pontifical documents concerning the same subject, and forbade not only the inquisitor-general, Friar Diogo da Silva, but also the bishops, from proceeding in this exceptional manner against the converts. It was expressly stated, however, that the suspension was temporary, and that the pontiff did not abandon the idea of taking extraordinary steps against those who transgressed Catholic doctrines. Thus the arena was left open for the contest, and neither one of the competing parties was to lose hope of winning the favor of the Roman curia for its claims.

It was not, however, merely a temporary suspension of the Inquisition that Duarte da Paz had asked from the very first. He insisted that, whatever might be the final decision in regard to the establishment of the tribunal, absolute pardon should be granted to all who might be found guilty of errors against the faith, and that the new institution should not be given retroactive power. These claims were known in Lisbon when the suspending brief arrived there; but neither the ambassador, Brás Neto, nor Cardinal Santiquatro, who exercised the functions of protector of Portugal, had received any instructions whatever regarding the manner in which they were to proceed in this case, and Pucci only learned through the nuncio's letters that the king was annoyed that the petitions of the New-Christians had been attended to in that particular.¹¹¹ Taking advantage of the silence of the Portuguese court, a silence that today seems inexplicable, but of the reasons for which he was probably not ignorant, the crafty Duarte da Paz had succeeded in winning over Santiquatro himself to the cause that he defended. But when he learned from Sinigaglia of the king's displeasure, the cardinal forbade the representative of the New-Christians to enter his house. It was too late. Duarte da Paz redoubled his efforts until he secured the majority of the influential members of the College of Cardinals resolutely to protect the cause of the Hebrew race, and, as we shall see, his endeavors, aided indeed by the secret power that numbed the energy and sealed the lips of the ministers of the king of Portugal, within a short time achieved successful results.¹¹²

As we have said, it was in the closing months of 1532 that Dom Martinho de Portugal arrived in Rome, where Brás Neto was still performing the duties of ambassador. At his departure Dom Martinho had received written instructions, in which, though they were quite lengthy, not a single word is to be found regarding the Inquisition.¹¹³ But are we to believe that Dom João III did not give them himself, orally at least? The

¹¹¹ Letter of Santiquatro already quoted, *loc. cit.*

¹¹² *Ibid.*

¹¹³ These instructions are not in the Torre do Tombo, but there is a copy of them in the volume of *Memoirs of Pedro de Alcaçova Carneiro* in the Royal Academy of Sciences.

inactivity of the former agent is comprehensible, but not that of the new one. Only hypotheses can be put forward to explain it, and such theories are suggested by a rather significant fact. After 1534 the rough drafts that have come down to us of the official correspondence regarding the negotiations with Rome are, perhaps without exception, in the handwriting of Pedro de Alcaçova Carneiro, who was promoted about this time to the position of secretary for Indian affairs. From this, it is seen that Pedro de Alcaçova had at this time come to be a man having the full confidence of Dom João III in all that had to do with the difficult matter of the Inquisition. Did the king distrust the integrity of the other ministers? Was his distrust well founded? Did this apparent neglect, as mysterious as unexpected, with regard to a subject that for years had almost exclusively occupied the mind of the monarch, spring from the corruption of his ministers? Nothing was more natural than that the New-Christians also should take advantage of this means of salvation. It is almost certain, at any rate, that, abundantly able as they were were on account of their wealth to do it, they must have made the attempt. This, then, in our view, is the only plausible explanation of a silence for which, years afterward, Cardinal Pucci blamed the Portuguese court, and which was continued even after the departure of Brás Neto from Rome, when Dom Martinho de Portugal remained there as the sole agent.¹¹⁴

If, however, as we suspect, the minister or ministers, through whose hands the affairs of the Inquisition passed, betrayed the confidence of the sovereign, there are unquestionable proofs that the New-Christians had no reason to deem themselves more fortunate with their representative, although he might follow a different method. The treachery of that man was more dangerous and more disguised. He had labored actively, as we have just seen, to fulfil his mission well; but, either because he did not wish to lose forever the hope of returning to his native land, or out of blind cupidity, or for some other future purpose, Duarte da Paz, shortly after the dispatch of the brief of October 17, began to make serious efforts to ingratiate himself with the king. The cynically abject character of this man is fully revealed in the letter he addressed with this purpose in view to Dom João III, wherein he alludes to another that he wrote on the same occasion to a court favorite, in which he defends himself from the charges made against him in Portugal.¹¹⁵ One would say, considering the inso-

¹¹⁴ Letter of Santiquatro already cited, *loc. cit.*

¹¹⁵ "I am writing very truthfully to the count [perhaps Conde de Castanheira] how little I am to blame in any of the things laid to my charge."—Letter of Duarte da Paz to the king, November 4, 1532, received at Evora on December 19 through Alvaro Mendes, ambassador at the court of Charles V, "Corpo Chronologico," Part 1, M. 49, No. 20.

lent familiarity of this letter, that the crafty Hebrew was well enough acquainted with the inclinations of Dom João III to take advantage of the results of secret accusations, a system that we have hitherto seen him constantly employing against the New-Christians. Possibly Duarte da Paz himself, before leaving the kingdom, may have exercised the repugnant calling of a spy. At any rate, we are led to suspect it, not only by the confidence with which he spoke, but also by a certain phrase in that singular letter.¹¹⁶ In it the representative of the converts proposed to give the king a secret account, not only of all that was going on in Rome, but also of what might there be indirectly known of what was going on at the court of Portugal contrary to the interests or wishes of the king. Duarte da Paz did not wish, however, to perform his vile functions alone. He was of the opinion that six additional trustworthy persons should be sent throughout Italy and Turkey to exercise the same office. In addition he sent Dom João III an ingenious cipher¹¹⁷ by means of which they would be able to communicate with each other matters of the greatest importance. The Hebrew showed himself a past master in the dissimulations proper to his trade. He laid down certain rules of discretion, which the king was to follow, and frankly declared that such precautions were largely intended to save the writer himself from the consequences of his exposures, if they should become known.¹¹⁸ Despite the cipher, the Hebrew recommended Dom João III never to write save in case of extreme necessity. He wished to know certainly whether this letter, which only the king was to open,¹¹⁹ had reached him; but, for this purpose, he asked him to direct Dom Martinho de Portugal to tell him, Duarte da Paz, that he would order the chartulary in his charge to be handed over to the attorney of His Highness in Lisbon. This communication from the new ambassador would be the sign that the letter had been delivered. The last bit of advice he gave Dom João III was that he should speak very ill of him, not only in public, but even in private. In a postscript he asked him to burn the letter he sent inclosed, written by a great personage, a letter that was bound to be of importance, and which the convert confessed to have stolen from his own

¹¹⁶ "I am always, *as I was in that kingdom*, ready to serve Your Highness."

¹¹⁷ The cipher is included in the letter: it consists of four signs for each letter of the alphabet, so that the constant repetition of a single character for any one letter would be avoided. The name of the subscriber was also written in cipher.

¹¹⁸ "In order that no peril may befall me from anybody getting one of my letters."
—*Ibid.*

¹¹⁹ The superscription is: "To the king, our lord, from his very humble servant, for His Highness to open."

father.¹²⁰ He concluded by asking the king not to blame him for having come to Rome and for continuing to ask for the pardon of the New-Christians; "for I do it," he said, "feeling that in this I am serving Your Highness."¹²¹

In the mouth of a virtuous man this last phrase would have an obvious meaning. To prevent intolerance from being able pitilessly to glut its fury, to raise obstacles in the narrow path along which the government was madly plunging, was really to do good service to the king and to the kingdom. But in the mouth of a wretch, who sought to have dealings of the most abject kind with both contending parties, such words could have only an odious meaning. Since he was the representative of the Hebrews, showing ardent zeal, untiring activity, boldness, and talent in attack and defense, there could be nothing, however secret, that the New-Christians could conceal from him. With such a spy, the king would always have the means of obviating the results of any advantages they might obtain at Rome. It was worth while to accept the offers of Duarte da Paz. Did Dom João III accept them? Later documents will throw light upon this point, and will show how the devil incarnate succeeded in playing the two parts he had taken upon himself, till the moment when, in an impulse of irritation, he threw away the mask and stood before the world in his true color; that is, as a knave capable of adopting all forms of religion, but incapable of believing in anything save his own personal interests and the gratification of his ignoble passions.

Such was the position of affairs during the early months of 1533. There is now to be a widening of the scene in which were enacted the initial stages of the horrible drama, a drama still more revolting than horrible, of the establishment of the Inquisition. The other acts are to be played in Portugal and at Rome. If, up to this point, fanaticism has disputed with hypocrisy and moral corruption the foreground of the picture, we shall now see it retire into the background of this double canvas. But the lesson to be learned will be all the more profitable. Fanaticism has the nobility of all ardent passions; it lifts its eyes to God, whom it calumniates, but whom it believes it is serving and honoring; it is a tempest in the human heart that passes on its way as much grandeur as nature's storms, leaving devastation in its wake. Hypocrisy, the supreme moral perversion, is a putrid and stagnant cesspool that fills the atmosphere with deadly miasma and strikes man down in the midst of smiling landscapes; it is a reptile that crawls among the flowers and bites its unwary victim. Civilization in its progress gradually weakens fanaticism and at last annihilates it.

¹²⁰ "This letter of the duke [probably Dom Jayme, the Duke of Braganca] I stole from my father; Your Highness will have it burned."—*Ibid.*

¹²¹ *Ibid.*

Hypocrisy lives with all men, under all conditions, and accommodates itself to every degree of social culture. If a strong hand tears away the cloak of piety with which it covers itself, and with a scornful laugh points out its loathsome pustules to the passers-by, it cries out against the calumny, weeps, and declares itself a martyr, while in its bosom it broods over a vengeance that on some propitious day shall more than repay the offense, and which, when inflicted by such a hand, is always without pity.

It was for this reason that the Savior stigmatized hypocrisy with the brand of his terrible malediction. He, for whom the future held no mysteries, knew that it would be, in all ages, the cruelest enemy of Christianity and humanity.

CHAPTER IV

CONTINUED EFFORTS OF DOM JOÃO TO FREE THE INQUI- SITION IN PORTUGAL FROM PAPAL INTERFERENCE, 1533 TO 1535

The suspension of the establishment of the tribunal of faith in Portugal was merely a temporary relief conceded to the unfortunate Jews. As we have seen, the pontifical bull indicated rather explicitly that under certain circumstances the former concession would be renewed. The sword of Damocles was still hanging over the proscribed race. Thus while he sought to win the king's favor by betraying the cause to which he was pledged, and even in order the better to conceal his disloyalty and to carry on the secret intrigues in which he was engaged, Duarte da Paz had to devote himself actively to seeking the pardon of his co-religionists for their conduct in the past. And that is what he did, and, though rebuffed by Santiquatro, he obtained the cordial support of the majority of the cardinals. Pucci¹ still objected, and so did the Portuguese ambassador, though it was the latter's duty at least to keep up the appearances of zeal even though he had none. One circumstance, however, helped the cause of the New-Christians—the temporary absence from Rome of cardinal Santiquatro. This opportunity was turned to account. At a consistory held during the cardinal's absence the petitions of the converts were granted, the pope refusing to admit the Portuguese ambassador² as a participant, and on April 7, 1533, the bull of grace was finally dispatched, completing, and apparently at last verifying, the temporary favor obtained by the diploma of October 17 of the previous year.

In the bull of April 7 the pope called to mind the establishment of the Inquisition and the principles proposed by the court of Portugal upon which it was based, and alluded to the brief of October 17 without expressing its motives; for that document was virtually justified by the reasons which gave rise to the provisions now taken. The first fact established as a basis for the provisions of the bull was that of the forced conversion of the Jews, a fact concerning which silence had been maintained

¹ Letter of Santiquatro to Dom João III, in Drawer 2, M. 5, No. 51, of the National Archives.

² "The method followed in this is irregular, that is to those steps (those of the bull of pardon) relating to the petition of the parties without first hearing the ambassador."—Minutes of Instruction to Dom Martinho, Drawer 2, M. 2, No. 35.

in the request for granting the powers of inquisitor-general to Friar Diogo da Silva, and which therefore rendered invalid the bull of December 17, 1531, as having been obtained under false pretenses. Clement VII divided the Portuguese Jews and Moors into two classes: first, those who had been compelled by force to receive baptism; second, those who had voluntarily entered the fold of the church, or who, being the children of converts, had been baptized in their infancy with the consent of their parents. As to the first, the bull of grace restated in its preamble the doctrines of the former counselors of Dom Manuel and especially those of Dom Fernando Coutinho, bishop of Algarve. "Those should not be considered as members of the church," said the pope, "who were forcibly baptized, and they would have every right to complain of being corrected and punished as Christians in violation of the principles of justice and equity." As to the others who had been converted of their own free will or who were born of Christian parents, in view of the intimate relations in which they lived with those whose conversion was feigned, and the power of diabolical suggestions, he felt that, in case the accusations brought against them were true, they ought to be treated with kindness and pity in keeping with the spirit of the gospel rather than punished with ecclesiastical rigor, for he considered it shocking to tolerate the persecution and insulting of those who had sincerely entered the Catholic fold, and had come to be suspected simply from the fact that they were descended from Jewish parents or grandparents. In view of these considerations, the soundness of which was indisputable, Clement VII revoked all the cases of heresy, whatever they might be, and in whatever state, without excepting any court or tribunal, and annulled the trials, excepting those of persons condemned as relapsed heretics, whom it would not be easy to find, on account of the short time the Inquisition had been in existence. He declared (though with very little truth) that he acted of his own accord and of his own free will, uninfluenced by the requests of New-Christians or the solicitations of anyone whatever. In order to carry the bull into effect, the method was established for obtaining pardon. Marco della Rovere was instructed solemnly to publish this pontifical resolution, either personally or through his delegates, in all the dioceses and towns of the kingdom and its dependencies. After the publication, three months were allowed for those who were present in the country, and four months for those absent (it being left, however, to the discretion of the nuncio to shorten or prolong this period) in which all and any persons guilty of crimes against the faith might be received in reconciliation, by confessing their shortcomings to the representative of the court of Rome or to the priests he might delegate for this purpose. The names and titles of the reconciled were to be recorded in a book or register by the respective confessors. For persons

charged with crimes, whether New-Christians or not, these registers would make what we may call a book of life. Any one of them who could show that his name was there would be, *ipso facto*, absolved. In order that no one should be excluded from the benefit of the pardon, the different places in which those to whom the concession was applicable lived were carefully and specifically designated. Natives or foreigners living in the country, men or women, laymen or ecclesiastics of every degree, persons at large or in prison, defendants whether condemned or not, persons accused or merely suspected of heresy, however culpable they might be, the blasphemous and the sacrilegious, to all and every one was extended the pontifical absolution. But inasmuch as it was necessary, in order to fulfil the conditions of pardon, that those who required it should be in the full enjoyment of their civil rights, the bull ordered the immediate discharge of all prisoners, and persons under arrest, and the privilege of returning to their country was granted persons degraded and banished, the period of reconciliation for imprisoned persons beginning only on the day on which they were set free, and for exiled persons only on the day when the safe-conducts necessary to enable them to return home were dispatched. Those who should take advantage of the benefit of the bull would be eligible to ecclesiastic dignities, even the highest, if they were or had been invested with them, and also to obtain them in the future, being admissible to holy orders without any restrictions whatever. If they were laymen, all charges against them were dismissed, so that they became equally eligible with their fellows to hold public offices and to receive honors, distinctions, and benefits. One of the most important provisions of the bull was that which referred to the property of those who had been tried. Sentences passed upon New-Christians were annulled, and with the sentences their effects, and it restored to the defendants the property that had been sequestered or confiscated but had not yet been definitely turned over to the exchequer. The nuncio or his delegates were to give certificates of pardon, copied from the registers, to those who requested them, and it was recommended that these vouchers should be given free of charge, and should not serve as a pretext for any exactions whatever. Such vouchers would entitle the reconciled to exemption from persecution. Anyone who, before coming for the pardon, had already been found guilty and punished or reconciled by the Inquisition, and had afterward fallen again into heresy, and should now confess his fault, was not for that reason to be regarded as a relapsed heretic, for all his earlier errors would be completely expunged. Backsliders themselves who had been condemned as such, were given one more chance of saving their lives through a revision of their case by the nuncio. Only after a confirmation of the sentence in this last court of appeal could the penalty be inflicted

upon them. If it were not, the accused had merely to perform a private penance, for which, as in the other cases already finally determined, public penance was to be substituted, the penitent first abjuring his errors according to church regulations. If after the pardon the penitents should again fall away, the customary penalties were to be imposed; but if they could prove that their baptism had been compulsory, the penalties were not to be imposed upon the relapsed. Those reported to the nuncio as having been publicly regarded as guilty of heresy, though not convicted, might justify themselves before him privately on the evidence of two or three competent witnesses, without going through the judicial forms, and, if they felt that they ought to abjure, they might likewise do it in private. Finally, if there should be any who had allowed the period of pardon to pass without seeking it and might afterward wish to obtain it, cognizance would be taken of the matter in the nunciature, and this would be referred to the Roman curia for decision, the inquisitors and the lower courts alike being prohibited from proceeding against such culprits for one year. In order that all these provisions should have their due effects, the pope fulminated excommunication, suspension, and interdict against all the judges of whatever court, and against all the ecclesiastical officials without exception of rank, and against any other persons whatsoever who should interfere either directly or indirectly with the enforcement of the bull. He also forbade anyone to criticize the bull as surreptitious, and refused from the outset to recognize the validity of any exceptions or limitations that might be brought against it, even though they might come from the apostolic see itself. He recommended to his representative at the court of Lisbon that, in case he required the help of the secular arm to remove any obstacles to the full execution of its provisions, he should call for that help, and he urged Dom João III that, in obedience to the Holy See, he should give all his support to the bishop of Sinigaglia in the fulfilment of his mission. And finally he repealed, for this occasion, all provisions of the canon law and of all apostolic letters that were in opposition to those now issued, as well as the civil privileges of the inquisitors which might enable them to thwart the pontifical resolutions.³

Such were the most notable points of the bull of April 7. We have pointed out its special provisions because, as one may readily foresee, it aroused serious opposition, and gave rise to lively discussions. The general purpose of this bull is one that unquestionably does honor to the memory of Clement VII, for it meant protection to the oppressed, and was in keeping with the tolerant spirit of the gospel. But the development of

³ Bull *Sempiterno Regi* in Drawer 2, M. 2, No. 11, and in the Collection of Bulls of the Holy Office, folio 32. We omit some of the secondary details of this long bull as unnecessary to an understanding of the subsequent narrative.

the fundamental idea of that act of the head of the church does not bear analysis. The Roman curia gave it the stamp of its own individuality. The nuncio, and such a one as Sinigaglia, was made the supreme arbiter of questions of irregularities in matters of faith, and the bishops were left on a level in such affairs with the other powers, functionaries, and magistrates whether ecclesiastic or civil. The character and inalienable rights of the episcopate were confused in this matter with any other functions delegated or conceded by the pope. In matters relating to the New-Christians, Marco della Rovere might consider himself the universal bishop of all the dioceses of the kingdom and the territories subject to it, directly and exclusively responsible to the Holy See. Of course, seeing that distinctions had to be made between defendants, and that confessions, abjurations, penances, and even, in certain cases, condemnations had to be dealt with, it was necessary to submit all this to some magistrate independent of an absolute and fanatical king, whose servants the bishops of Portugal were. But it all came from the fact that the provisions of the bull were, in the main, illogical when viewed in relation to the fundamental principles upon which they were based. The pope loudly proclaimed the principle that a person compelled to be baptized did not thereby become a Christian any more than one who had never been baptized, thus disregarding the ridiculous distinctions of "necessary violence" and "conditional violence" invented by the theologians and academicians to give plausibility to the most absurd acts of tyranny. From this unquestionable maxim sprang another equally certain, that it was not admissible to have a law against heretics who had not adopted the Christian faith of their own free will. Consequently the nuncio should have been directed to accept from the members of the Jewish families a free declaration of their real faith, and the king should have been forbidden, under threat of heavy penalties, from making religion a pretext for persecuting his subjects, and warned that if he chose to furnish history with the name of one more tyrant, he should do it in the name of civil interests and not bring Christianity into ill repute. Those who might declare that their conversion had been spontaneous and sincere should have been left, not to the peculiar and anticanonical procedure of the Inquisition, but to the common law of the church, to the legitimate action of the episcopacy, whose integrity it was necessary to restore. As head of the Catholic world, that was the duty of the pope, and his responsibility ended there. But if the bishops should afterward turn out to be either subservient to the cruelty of the civil powers or remiss in the discharge of their duties, it was his duty again, as head of the church, to bring them back to the spirit of the gospel or to meet the negligence of the prelates by such means as the laws of the church afforded. The bull was absurdly illogical. Nothing, for example, could be more

monstrous, given the doctrine to which the pope appealed, than to permit the punishments still to be imposed, even though in a less rigorous form, upon the so-called backsliders, even when they were able to show that they had been compelled to be baptized. Did not the bull itself declare such a procedure intolerable?

Dom Martinho de Portugal, who, after the departure of Brás Neto, was the only representative of the Portuguese court at Rome, and who had been confirmed in February of that year as archbishop of Funchal, the metropolis of the conquered territories,⁴ not having been able to prevent the resolution of the pontiff, could not, without betraying a certain connivance in the matter, fail to write to the king about an affair of so much moment. We know that this important document was not long in reaching Portugal. But whether on account of the same influences that had caused the inexplicable silence of the court of Lisbon up to that time, or whether there were suspicions of Dom Martinho, in spite of the profound impression that such a fact might produce, the arch episcopal ambassador received no reply or instructions that might serve as a guide in his future proceedings.⁵ The king, from whom the state of affairs could not be concealed, complained bitterly to the nuncio about the pope's resolution, and demanded that he should be the mouthpiece of his lively resentment.⁶ There is a memorandum in the name of Dom João III, evidently drawn up at this juncture,⁷ in which there are pointed out to Clement VII many considerations which we shall see later alleged at greater length against the bull of April 7, the revocation of which was therein requested. What we shall not see renewed, at least not so amply, are the concessions which, during the first feelings of dismay, intolerance had thought it necessary to make in order to save the rest of its conquests. It was proposed in that petition or memorial that, in maintaining the Inquisition as it had

⁴ Bull of February 10, in M. 13 of Bulls, No. 8, in the National Archives. In the "Annals of Dom João III" by Sousa ("Memoirs and Documents," p. 378) is a memorandum of 15,000 *cruzados* sent in February 1532 to Dom Martinho "for certain expenses." This sum does not seem to have been destined for the business of the Inquisition, as might be suspected, but for the elevation of the bishopric of Funchal into the metropolis of the Indies.

⁵ Letter of Santiquatro, *loc. cit.*

⁶ *Ibid.*

⁷ The memoir (in Drawer 2, M. 2, No. 29) was doubtless made as soon as the bull of April 7 reached Portugal; for after briefly pointing out the antecedent facts, and referring to the brief that had suspended the Inquisition, it adds: "the said New-Christians now had another bull of pardon, . . . Santiquatro says explicitly that the king "*havendo de cio notizia* (of the dispatch of the bull of April 7) *fece scrivere per il nuntio a la santità de N. S. 'pregando quella' uolesse reuocare l'esecuzione della detta bolla.*"—Letter of Santiquatro, *loc. cit.*

been established, there should be a modification of the terrible results which its fatal sentences imposed upon its victims; that those convicted of heresy should not be turned over to the secular authorities, the accused thus escaping death and merely being expelled from the kingdom; that their property should not be confiscated, but that it should go to their Christian heirs, or in default of such heirs, to works of charity; that the reconciled, that is, those who upon confession might obtain the pardon of the inquisitors, should not be punished with life-imprisonment, nor was their property to be confiscated, but that their children should be taken from them, so that they would not be corrupted by paternal instruction, and the property reserved for them, the accused being deprived of civil rights, and disqualified from exercising any trades except manual labor; that the sons and grandsons of convicted persons, when they could show that they were not guilty of the crimes of their relatives, should not be branded with infamy, but should be qualified to exercise all their rights and to obtain any honors and dignities.⁸

Did such a petition reach Clement VII? We do not know. But it is certain that in the later negotiations there is no reference whatever to the proposals so very favorable to the New-Christians. However advantageous these conditions might be to them, the prompt enforcement of the bull of April 7 was incomparably better. On the other hand, it is easy to imagine whether the bishop of Sinigaglia willingly complied with the requirements of the king. The incalculable profit and influence that he derived from the mission are evident. Marco della Rovere was not a man who would willingly yield such advantages, and the private information by which the memorial was accompanied, supposing that it ever reached Rome, could hardly have been favorable to such a claim. So the only result of the king's activity was the sending of a brief to the bishop of Sinigaglia about the end of July directing him to enforce the provisions decreed, and recommending him at the same time to make every effort to persuade the civil power to abrogate the law prohibiting the New-Christians from leaving the kingdom.⁹

With matters in such shape, it was not possible for the Portuguese ministers to dissimulate longer. Orders and instructions were finally given to the archbishop of Funchal, in which he was told to follow the pope to Marseilles, where the general affairs of the church and the political conditions of Europe compelled him to live for some time. The efforts of the king were now reduced to the suspension of the bull, and to the revo-

⁸ "Memoria," *loc. cit.*

⁹ *Ibid.* We have not been able to find the brief of July to the nuncio; but its existence and purpose are mentioned in the memorial of the New-Christians.—*Sym-micta Lusitana*, Vol. XXXI, folios 31 *et seq.*

cation of the brief relating to its prompt enforcement, until an ambassador-extraordinary should reach the pope and who, together with the archbishop, should state the reasons which the Portuguese government had for opposing the ample concessions made to the converts.¹⁰ Meanwhile the archbishop went to Marseilles, where the pope had arrived on the twelfth of October.¹¹ But one of the first acts of Clement VII on his arrival in France was to revalidate the bull of April 7 and to write plainly to Dom João III that he was to obey its provisions.¹² This course came from the suggestions of the nuncio.

In giving the pope an account of his mission, he informed him that he had asked the king to facilitate the carrying out of the apostolic orders, but that his efforts had been in vain, as had also been the petitions of the New-Christians, who had spared no efforts to achieve the same end. According to report, Dom João III was convinced that the pope had acceded to the solicitations of Duarte da Paz, without the requisite information, and influenced by bribery, and he conveyed to the nuncio himself the fact that his stay in Portugal was repugnant to him.¹³

The bishop of Sinigaglia ended by recounting all of the scandals connected with this affair, and by advising the pontiff as to the course that must subsequently be followed in regard to the execution of the bull.

With the arrival of the archbishop of Funchal at Marseilles, the wrath which the information of Marco della Rovere had produced in the mind of Clement VII seems to have subsided. Whether it was because the ambassador, forced by the instructions which he had at last received, acted with more energy, or because secret means were used to propitiate certain powerful influences in the curia, it is certain that the pope finally yielded, in regard to the prompt execution of the bull of April 7, and agreed to wait two months until the arrival of the new agent who had been announced, and who, in accord with the archbishop, would present and explain the king's grave objections to the pardon. As a consequence,

¹⁰ Letter of Santiquatro, *loc. cit.*

¹¹ Pallavicino, *Istoria del Concilio di Trento*, Book 3, chap. 14.

¹² In the brief sketch of the history of the first negotiations regarding the Inquisition contained in the letter of Santiquatro cited above, this circumstance is not mentioned, and neither in the National Archives does one find the brief addressed to Dom João III. However, in the Memorial of the New-Christians the fact is mentioned as one known at the Roman curia, and in the copy of the Process of the Inquisition consulted by Friar M. de São Damaso (*Verdade Elucidada*, Argum. No. 8) the brief was inserted. It begins "*Ex litteris nuntii*," and is dated October 19.

¹³ "*Rex . . . credens . . .*"—"The king . . . believing, as was said, that Clement was not informed about matters of this kind, but moved solely by money, had granted the aforesaid grace . . . made it plain that he disliked the nuncio's presence."—"Memoriale," *loc. cit.*, folio 32.

two briefs were dispatched on December 18, one to the nuncio to suspend the execution of the apostolic orders, the other to the king notifying him of the action taken.¹⁴

These things took place in the last months of the year 1533. In December of that same year the pope had already returned to Rome.¹⁵ The results of the negotiations at Marseilles having been transmitted to the court of Portugal, Dom Henrique de Menezes was entrusted with the extraordinary mission to the papal court. It was necessary to make all preparations to oppose the pardon of April 7, and to collect every fact and argument that might invalidate it. It was no easy matter. Clement had already had the doctrines of the bull and its fundamental principles examined at the University of Bologna, and two of the most celebrated professors of that school of jurisprudence, Parisio, who was afterward raised to the cardinalate, and Veroi, had prepared two long dissertations in which the provisions of the pontiff in favor of the New-Christians were fully justified.¹⁶

In the meanwhile consultations were held in Portugal regarding the instructions to be given by word of mouth and in writing to the new agent who was to be sent to Rome and to the one who was already there. It was agreed that the first thing at which to take umbrage in the procedure of the pope was that, having granted the Inquisition so short a time before, it was being annulled without any new circumstances having arisen; also that in anticipation of the petitions of the New-Christians (although the bull falsely stated the contrary), he had never given the Portuguese ambassador a hearing. It was also thought necessary to recapitulate clearly the causes for the institution of the tribunal of faith, and to insist that, in view of these causes, the pope should have been the one to labor for the establishment of the Inquisition instead of opposing it; that, admitting there had been some violence at first in connection with the conversion of the Jews, it was to be noted that it had not been absolute but only conditional, and that therefore the baptism was binding on the converts, who had moreover for many years afterward attended the sacraments of the church, and made it appear that they were Christians; that the Gothic king, Sisebuto, had compelled the Jews to be converted, and yet he had been lauded as a most religious monarch by the fathers of the

¹⁴ Letter of Santiquatro, *loc. cit.* Briefs *Licet superioribus* and *Quod optavit* cited in *Verdade Elucidada*, Argum. No. 9.

¹⁵ Pallavicino, Book 3, chap. 16.

¹⁶ These two rather diffuse documents, preceded by the respective questions, are in the *Symmicta Lusitana*, Vol. XXXI, folios 223 to 363. They seem from their context to have been prepared on the occasion of the dispatch of the bull of April 7, or about that time.

twelfth council of Toledo, and that similar praise had been given to the princes who had followed in his example; that the Jews had had time enough to leave the kingdom, and many of them had done so; that those who remained behind as ostensible Christians were probably neither one thing nor the other, but, as unbelievers, despised the sacraments they received; that the bull offered pardon to recalcitrants, a thing forbidden by the canons, and that a pardon obtained in an outside court by means of secret confessions that might well be false was absurd; that such a pardon would be a scandal in the whole Catholic world; that the canonical provisions and the period of grace that the Inquisition was in the habit of conceding were all that was necessary for the penitent to obtain pardon; that if, in spite of all these considerations, the pope should insist upon the general pardon, the matter ought to be committed to the chief inquisitor and to his delegates, the pardon in question being limited to those penitents who should come for the express purpose of confessing their errors, the legal penalties not being inflicted upon them, but, instead, punishment of a public or private kind determined by the judges, the confessions being written in the registers and signed by both the confessor and the confessant, so that afterward it might be known who the guilty ones were who had been pardoned, the relapsed being excluded from the pardon in all cases. Above all else the ambassador should insist that this business ought by no means to be committed to the nuncio, but rather to someone whom the king would designate, that without this condition no action of the pope in regard to the subject could be admitted. The retention of the tribunal of faith was to be demanded in the form in which it had been conceded, and as now proposed anew, with the suspension of all provisions made in favor of the Jews; and, finally, it was to be intimated to Clement VII that it was the general opinion in Portugal that all of these steps in opposition to the Inquisition had been procured by means of enormous bribes at Rome, and he was also to be given to understand that any new decrees of the same kind would only confirm such accusations.¹⁷

Such, in substance, were the instructions sent to the archbishop of Funchal. Similar ones must have been given to Dom Henrique de Meneses in regard to the bull of April 7, though more detailed.¹⁸ But as it was

¹⁷ "It is reported in this kingdom that it was through a large bribe in money paid in his court that this opposition to such a holy and necessary work was obtained."—Minutes, without date, in Drawer 2, M. 2, No. 35, in the National Archives. From the context it is seen that these proposed instructions belong to the period in which I have placed them. They were probably intended for Dom Martinho, for it says in the rubric that it is the "instruction that His Highness is to have written to the ambassador." If they had been for Dom Henrique it would have said "to give to the ambassador."

¹⁸ We have not been able to discover the instructions to the new agent regarding

aimed to save the Inquisition at all costs, and as a new concession was necessary on account of Friar Dioga de Silva's having declined the office of chief inquisitor, special instructions on this point were drawn up. In these instructions the king, assuming the revocation of the bull of April 7, proposed modifications, not indeed of the fundamental idea of the institution, but in the method of regulating its chief acts. What was proposed was really a compromise. Means were contrived for satisfying in part the purposes the pope had in mind when he granted the ample concessions of pardon. Various articles were added to the provisions of the bull of December 17, 1531. It would be decreed that any individual, from any part of the kingdom or its dominions, who, within the period of grace that the inquisitors might concede, should come before them to ask pardon for crimes that he might have committed against the faith, should be absolved without being obliged to specify them. This would be applicable only to those who had not been judicially accused or arrested, even though there had been rumors to their discredit and inquiries made about them, and proofs of heresy alleged, there being admissible against them at no time charges of crimes committed before they received the pardon. Those who were reconciled in this fashion, after performing the light private penalties which might be imposed at the will of the inquisitors, would be left to the enjoyment of all their rights and fully reinstated in their former privileges. For those who were absent, a year of delay would be granted. But the accused and arrested, and those who should not come within the period of grace to ask pardon, would be proceeded against in accordance with custom and law. The names of the reconciled would be registered. They would sign their names in the registers, and so would the inquisitors of the respective localities, and also two witnesses who were placed under obligation to keep the matter absolutely secret under pain of excommunication. The chief inquisitor and his delegates, whose ample powers were specified, were, by way of compensation, to be authorized to proceed, as soon as the disposition of the canon law relating thereto was revoked, with the inquisitorial acts without the intervention of the bishops, they being authorized to call before themselves all cases of heresy, even though these were being tried before apostolic judges, before the nuncios or even before a legate *a latere*. In anticipation of the possibility of the pope's not agreeing to this new arrangement, in place of yielding, it was purely and simply to be insisted upon that the bull of December 17, 1531, should be renewed,

the revocation of the pardon, but various subsequent documents refer to them, and the charges made by the two ministers (Ragioni del Re: *Symmetta Lusitana*, Vol. XXXI, folio 366), of which we are about to speak, show what we have said in the text.

but changing the name of the chief inquisitor, the head chaplain, Dom Fernando de Meneses Coutinho, bishop of Lamego, being substituted for the king's confessor, the Franciscan friar, Diogo da Silva. Finally the new bull was to contain an express and detailed repeal of that of April 7 and of any other apostolic letters that might interfere with the free action of the tribunal of faith.¹⁹

Fortified with these instructions, with letters for Santiquatro and for Clement VII himself, and besides these, with whatever else was thought necessary for the successful performance of his mission, Dom Henrique de Meneses reached Rome in February 1534.²⁰ After having presented to the pope the credentials of the new agent,²¹ the two ambassadors took up the matter with Cardinal Pucci. The protector of Portugal was of the opinion that the long delay in taking the steps now determined upon rendered the undertaking a very difficult one, for, the bull of pardon once having been dispatched, Clement VII would strongly object to turning back, for, as a rule, it was easier at the curia to stop a thing than it was to undo it after it had been done.²² Meanwhile, however, by joining forces with the Portuguese ministers he obtained a long audience with the pope, in which the subject was discussed in detail. The discussion lasted three days, and its only result was to cause Clement VII to draw up a brief in which Dom João was strictly ordered to stop placing obstacles in the way of the full and complete enforcement of the bull of April 7.²³ In view of this resolution the cause of tolerance and of humanity seemed to have triumphed, though, as was believed in Portugal, this victory may have cost the New-Christians great pecuniary sacrifices. But Pucci and Dom Henrique de Meneses were not discouraged. By means of bringing reasons and presenting petitions, they obtained a new revision of the matter. Cardinals De Cesis and Campeggio, men in whose learning the pope especially trusted, were appointed to take up the subject with Santiquatro and with the representatives of the Portuguese government, while eminent theologians and canonists were called as advisers in the conference.²⁴ A long exposition, drawn up in accordance with the verbal

¹⁹ Instruction without date, Drawer 2, M. 1, No. 22, in the National Archives.

²⁰ Letter of Santiquatro to the king, in Drawer 2, M. 5, No. 51.

²¹ The draft of the credentials is in M. 2 of undated Missives, No. 104, of the National Archives.

²² Letter of Santiquatro, *loc. cit.*

²³ *Ibid.*

²⁴ Preamble of the brief *Venit ad nos* of April 2, 1534, in M. 19 of Bulls, No. 12, in the National Archives; "Memoriale" in *Symmicta Lusitana*, Vol. XXXI, folio 33 *et seq.*; Letter of Santiquatro, *loc. cit.*; Letter of Dom Henrique de Menezes of April 10, 1534, Drawer 2, M. 5, No. 36, in the National Archives.

and written instructions that Dom Henrique had received, served as a basis for the debates. This exposition included all of the considerations and arguments calculated to save the tottering edifice of the Inquisition, and to do away with the beneficent provisions with which the pope had sought to make amends for the error of having granted it. The futile distinction between absolute force and conditional force in relation to the baptism of the Jews was again insisted upon, the atrocities of 1497 being depicted as acts of peaceful persuasion, and appeal was made to the tacit consent of the converts during the thirty-five years in which they had not been persecuted, seeing that in so long a period they might have been confirmed in the doctrines of Christianity. It was said that the government treated, honored, and protected them, just like any other persons, and that the Old-Christians stirred up no ill feelings against them, an assertion the impudence of which would be incredible if it did not still exist in this singular exposition. It had been declared that the best guarantee of the New-Christians was in the probity of the persons who had been chosen to exercise the functions of the Inquisition, and that the state was deeply interested in the preservation of these New-Christians, who carried on the manufacturing and commerce of the country it might be said almost exclusively. From this fact an attempt was made to deduce an argument against the accusation which, as it seems, the pope had made, in his earlier discussions, against the Portuguese government, to the effect that zeal for the faith on its part came only from its desire to exploit the great wealth of the New-Christians by means of confiscation; for, to say nothing of the objection to suspecting such a thing in regard to the piety and Catholicism of the king, inasmuch as these riches were in the forms of jewels and money and not in landed property, they got everything safely out of the kingdom as soon as they were accused.²⁵ Then the ambassadors went into lengthy considerations of the inconveniences resulting from the tenor of the bull of April 7, and from the form of pardon established by it. The first criticism was directed against the least defensible part of the bull. It was pointed out that, supposing the baptisms to have been enforced, and concluding therefrom that the individuals so treated could not be considered Christians, and hence were not subject to the penalty against heretics, it seemed absurd, on the other hand, to grant them the sacramental confession in order that they might obtain a pardon which was not applicable to them as Jews, thus making a mockery of the act of confession; that this absurdity opened the way for consequences still more absurd, because from that time on these Jews would be confessed Christians,

²⁵ The falsity of all these diplomatic subterfuges is shown in the context of the charters of April 20 and 21, 1499, and of the law of June 14, 1532, the substance of which we have already given.

not only receiving the sacraments, but even administering them, there being many among them who had even received holy orders. If this criticism was a serious one, there were others that were far from being so. It was observed, for example, that those who had not been brought to trial and who might ask for pardon, could not be prosecuted after the pardon was granted; it being admitted in general terms that they had been remiss in matters of faith, it must follow that any religious offense that they might have previously committed, and that was discovered only afterward, would go unpunished, unless they should especially ask pardon for it. Many other provisions of the bull were objected to with more or less plausibility as permitting the escape from punishment of those who, in exchange for a make-believe repentance, might seek to continue secretly in error, retaining their property, offices, and civil and ecclesiastical dignities, without any responsibility for the acts of their past life. As if it were the easiest thing in the world for the New-Christians to leave the kingdom, objection was raised to the provision whereby it was ordered that prisoners should be set free so that they might go and make confession to the nuncio, it being urged that these individuals would escape from the country without having used the privilege granted them. The pope was reminded of the political results in the relations between Portugal and Spain that might come from extending the pardon to foreigners living in the kingdom. Many of the so-called New-Christians were Spanish Jews, who, after having been tried and condemned in Spain, had sought refuge in Portugal; and the provisions of the bull were injurious not only to the Inquisition of that country, but also to the interests of the Spanish crown, owing to the exemption from confiscation granted by it, to say nothing of the fact that it would have the effect of bringing many heretics from the provinces to Portugal on account of the facility of proving, by false witnesses, their long residence in this country, on which would fall the disgrace of its being an asylum for heretics. This very circumstance of extending to foreigners all the conditions of the pardon rendered it doubly dangerous in the matter of the defendants already passed upon. The permission for a new trial before the nuncio brought odium upon the Inquisition and upon the prelates of Spain, against whom it would be easy to prove anything they wanted to prove, they being far from the accusers and witnesses on whose evidence they had been condemned. Besides these considerations the discussion enlarged upon the number of ways in which intolerance is accustomed to evade the spirit of gentleness and indulgence that breathes in the gospel. Stress was laid upon the fatal effects of the lack of punishment; upon the abuses that were bound to come from the certainty of the escape from punishment; upon the possibility of false declarations of repentance, and upon the impossibility of determining the precise extent to

which reconciliations were sincere. Above all else, the agents of Dom João III considered two objects as most serious. One of them was the fact that the pardon embraced the Old-Christians, especial scandalous mention being made even of the most elevated ecclesiastical dignitaries—a deep affront to the Portuguese nation, so punctilious in matters of religion, and therefore having no need to resort to pardons of that kind. The other one was the fact that the nuncio, who was a foreigner, was entrusted with the regulation and application of the provisions of the bull in the face of all established usages, seeing that only a native of the kingdom could be in position to appreciate the circumstances surrounding every one of the individuals who might come to solicit the pardon.²⁶

The rest of the exposition, starting from the assumption that the bull of April 7 would be revoked, was nothing more than a paraphrase of the instructions of which we have already given the substance in regard to the changes which the king proposed to have made in the new bull, and by which, upon the restoration of the Inquisition, the bishop of Lamego was to be appointed chief inquisitor. The only circumstance omitted was the secret order requesting that, in case the bull of April 7 should remain in force and that no other concession could be obtained, the bull of December 17, 1531, should be reproduced just as it was without any alteration except that of the name of the chief inquisitor.²⁷

Such, then, were the points upon which turned the new debate before the cardinals, De Cesis and Campeggio, to whom Clement VII committed the final decision of this business. The debate lasted many days. Incredible efforts were made on both sides to gain the victory. If it was true, as reported in Portugal, that it was the gold of the Jews that was keeping the spirit of Christian charity alive in the Roman curia, it must be confessed that they had not been sparing of it. The activities of Santiquatro and of the ambassadors were incessant. Dom João III had previously obtained from his brother-in-law, Charles V, letters to the pope in which the emperor warmly commended the matter to him.²⁸ The great majority of the cardinals and others having influence in the curia, however, either openly espoused the cause of the New-Christians or inclined toward indulgence. Even before the sending of Dom Henrique de Menezes to Rome, the Spanish ambassador and Cardinal Sancta-Cruz had accompanied the archbishop of Funchal to the Vatican to deliver the letters of the emperor regarding this business, and had spoken to the pope in a spirit entirely

²⁶ "Raggioni del Re": *Symmicta Lusitana*, Vol. XXXI, folios 366 *et seq.*

²⁷ *Ibid.*

²⁸ See the letters of Dom Martinho of March 14 and September 13, 1535 (in Drawer 2, M. 1, No. 48, and M. 2, No. 50, of the National Archives), where these facts are referred to.

contrary to the written recommendations of Charles V, praising the decision of the pope to concede the ample pardon of April 7.²⁹ Had they secret instructions for this course of action, and were the requests of the court of Spain nothing more than a blind, or had the New-Christians been wise enough to win over the emperor's representative? We do not know. Meanwhile Dom Henrique had received at Lisbon positive orders to conduct the business in concert with the agent of Spain,³⁰ who, in view of the influence of Charles V at Rome, was a powerful support, indeed, if he was sincere in it.

But neither the reasons that the ministers of Portugal offered in opposition to the policy of tolerance adopted by the pope, nor their indirect efforts, nor the moral support of Charles V, if it really existed, were enough to alter that policy. As a result of the debates the theologians who had taken part as counselors in the conferences of the Portuguese ministers with Cardinals Santiquatro, De Cesis, and Campeggio, drew up a long defense of the bull of April 7, in which the arguments brought against it were analyzed and refuted. Another dissertation, no less comprehensive, and to the same purpose, was also presented in the name of the pope. Possibly its authorship belonged to the two cardinals of the commission, and it covered the points that had been gone over in the oral discussion.³¹ But though, as we have already remarked, the bull, on account of its illogical deductions when viewed in the light of its theoretical bases, and on account of its disregard of the true doctrines of the church concerning episcopal authority, which were annulled by the attributes conferred upon the nuncio, was, speaking absolutely, easy enough to combat, it was not so relatively for men who opposed it with pretenses much more absurd, and essentially contrary, not only to the discipline of the church, but also to the spirit of Christianity and to the traditions of the gospel. The right of the matter was essentially on the side of the pope, and though in one or another detail, the criticisms put forward in the name of the king could not be met with decisive arguments, it is certain that the sum total of the replies given by the cardinals and the counselors is convincing. Recalling the words and works of Christ, and those of the apostles and the early fathers, the gentleness with which Christianity was to be inculcated, the respect that was to be shown for the freedom of human choice in the adoption of a new creed, and the indulgence formerly shown for the frailties and errings of new

²⁹ Letter of Dom Martinho of March 14, *loc. cit.*

³⁰ *Ibid.*

³¹ These two allegations form Nos. 16 and 17 of the documents appended to the memorial of the New-Christians of 1544 in *Symmicta Lusitana*, Vol. XXXI, folios 395 *et seq.*

converts, who, moreover, had come of their own accord to enlist under the banner of the Cross; in contrast with this admirable picture of tolerance and moderation during the early centuries of the church stand the defenders of the bull of April 7 and the scenes of brutal tyranny amid which the conversion of the Jews had been effected in Portugal. With the picture of abandonment in which the prelates and clergy of Portugal had left the men who had been brought into the fold of the church without any true call, they compared the modest but tireless zeal, patience, and gentleness with which the apostles and their immediate successors in the early years of Christianity had guided the feeble steps of the converts, and nourished with religious instruction the wavering minds of those who, opening their eyes to the light of eternal truth, had not yet the strength necessary to bear its full splendors. And they recalled the fact that, at times, even Christian discipline itself had been sacrificed in those first decades to deep-seated habits that could not be uprooted suddenly, when such habits were out of keeping with the purity of Christianity. This contrast, based as it was, on one hand, upon the New Testament and the records of the primitive church, and, on the other, upon what had been going on in Portugal during the last forty years, was overwhelming. "If, however," they said, "the traditions and the practice of kindness and forbearance on the part of the church in dealing with those who entered it of their own free will were so great, how much greater should be the gentleness and charity shown men who had been forcibly compelled to be baptized and then abandoned in the darkness of their errors?" The theologians of Clement VII then came to the concession of the bull of December 17, 1531, and to the inconsistency noted between this act and the bull of pardon. In this the reply was no less striking. "Your Holiness understands," they said, "that it is better to tell the truth frankly than to deal in quibbles. By means of misrepresentations they have induced you to grant the Inquisition, persuading you of things that you prefer to keep concealed in order not to render odious those who made the request for it by branding them as dishonest before the Christian world. For that would be the consequence of exposing the lies they have invented for the purpose of destroying this unhappy race. Only later did Your Holiness learn, through information received from divers persons, both in writing and by word of mouth, that the facts were for the most part very different from what they have been represented to be. The barbarities practiced are such that it is difficult to see how human beings can endure such cruelty." And they went on to make an extract from one of these reports which is worthy of the greatest confidence. "If accusation is made, at times by false witnesses, against one of these unfortunates for whom Christ died, the inquisitors drag him to a dungeon where he is not allowed a glimpse of sky

or of earth, nor even allowed to ask one of his fellow creatures for help. Accusations are brought against him by secret witnesses, and he is not informed of either the place or the time of the act of which he is charged. The only thing he can do is to guess at it, and if he hits upon the name of one of the witnesses, he has the benefit of the fact that the deposition of that particular witness is no longer available against him. It would, therefore, be of more use to the unfortunate person to be a wizard than to be a Christian. An advocate is then chosen to defend him, who frequently, instead of doing so, helps to lead him to the scaffold. If he confesses to being a true Christian and persistently disavows the charges they bring against him, they condemn him to the flames, and his property is confiscated. If he confesses such and such deeds, but explains that they were done without evil intent, they treat him in the same way, under the pretext that he disclaims the intentions. If they persuade him frankly to confess the matter charged against him, they reduce him to the last degree of poverty and send him to prison for life. And they call this treating the defendant with mercy. A person who succeeds in clearly proving his innocence is nevertheless fined a certain amount, so that it may not be said that he was held without reason. It is hardly necessary to speak of a prisoner's being compelled by every kind of torture to confess any sort of crimes they choose to charge him with. Many of them die in prison, and even those who are released are branded, along with all their kin, with the stigma of everlasting infamy. Taking them all together, the abuses practiced by the inquisitors were such that anyone who had the slightest idea of the spirit of Christianity might well have thought they were the ministers of Satan rather than of Christ." Such was the extract. The theologians added that, certified of these facts by unimpeachable witnesses, convinced that it was the duty of the pope to build up rather than to destroy, and seeing that the inquisitors treated converts, not as pastors, but as so many robbers and mercenaries, he had not only suspended the Inquisition, but also, realizing that it had contributed to such horrors by a lack of sound advice, he had wished to make reparation to its victims by conceding ample pardon, that he was not concerned with the fact that his predecessors had, perhaps thoughtlessly, conceded or tolerated such things in other parts of the peninsula; that he was rather concerned with the example set by the apostles, who were enlightened by the divine spirit; for he did not consider himself the vicar of Innocence VIII, or of Alexander VI, or of any other pope, but of Him whose place it was, according to the opinion of the church, to pity and to pardon. Finally it was observed that the king had so strongly disapproved this indulgence and toleration of the pope, though his own father had granted the New-Christians privileges and exemptions which he himself had confirmed, that the pope, by now

absolving them, was merely postponing for a term only too short the effects of the concessions received from the royal benevolence.³²

All the criticisms brought forward on the part of the king were contradicted with equal energy, though not always with the same felicity of doctrine and logic, in the two memoranda of the Roman curia. Seeing their cause lost in the commission selected to deal with it, the agents of Portugal redoubled their efforts with Clement VII in order to get a less unfavorable solution. The result of their efforts, however, did not accomplish anything more than to lead him to propose to them a compromise, which, however, in view of their instructions, they could not accept. And so there was to be a return to the old situation, the bull of April 17 to be revoked, the Inquisition to be entirely suppressed, and the matter discussed anew from the very beginning. Under these conditions, the pope had no doubt he could grant a still more rigorous Inquisition.³³

For the time being, there was no other way to ward off the blow. The best that could be done to compel the king to acquiesce in the bull of pardon was, in place of the brief the rough draft for which was already drawn up, to prepare another more moderate in form, but in reality of an even more vigorous kind. In this brief, which was dispatched April 2, the pope outlined the course of the negotiations and declared to Dom João III that, while he was under no obligation to account for his conduct as the supreme pastor, yet out of deference to him he would indicate the motives he had in rejecting the requests of his ambassadors. These motives were substantially the same as those given in the memoranda of the cardinals and theologians, stated with admirable clearness, simplicity, and elegance,

³² In the replies of the theologians and cardinals, in the allegations of the New-Christians, and in all of the documents in which reference is made to the privileges granted by Dom Manuel to his Jewish subjects and confirmed by Dom João III, it is always supposed that the term in which they were free from persecution on account of these privileges was twenty-nine years. However, as the first concession of twenty years was made in 1497, and prorogation for sixteen years longer was made in 1512 (see Vol. I, p. 159), the term was really for thirty-six years, for it is obvious that the addition was to be counted from the expiration of the period of the first concession. But Dom João III seems to have considered this prorogation as counting from the date when it was granted, that is from 1512, although it clearly means the opposite to anyone reading the confirmatory draft inserted in 1522 in Book I, of the Chancellery of Dom João III, folio 44 v. Did the New-Christians accept that forced interpretation, or were the transcripts changed that were given them when the concession of 1522 was confirmed? In view of the systematic dishonesty that prevailed at the time, we do not know what to think about it. We note the singular circumstance that we do not find in the Chancellery of Dom Manuel a diploma such as the prorogation of 1512, but it is found in that of his successor. It is, to us, inexplicable.

³³ Instructions without date, but evidently of 1535, in Drawer 13, M. 8, No. 2, and the letter of Dom Henrique de Menezes of April 10, 1534, Drawer 2, M. 5, No. 36, in the National Archives.

without losing a jot of their force. The pope ended with the assurance that he was confident of the obedience of the king, and that if he had occasion to make further observations the court of Rome was ready to hear him a thousand times over.³⁴ A few days later Clement VII wrote to the nuncio notifying him of the dispatch of this brief. The pope hoped that, all of the objections being thus replied to, the king would place no more obstacles in the way of the execution of the bull. He directed him, therefore, to comply with its provisions, repeating to him, however, the warning that he had already many times given him, a warning which showed no very great confidence in the moral qualities of the bishop of Sinigaglia, that neither he, under the pain of suspension, nor his ministers and friends, under pain of excommunication, should take advantage of the circumstances to extort money from New-Christians, whatever the pretext might be, not excepting that of the supposed free gifts or that of expenses incurred in the drawing up of diplomas.³⁵

In this same connection the agents of the king wrote to Portugal, giving an account of the unhappy outcome of the negotiations. The archbishop of Funchal held that the misfortune had come principally from their having asked the support of Spain, thus divulging the business, and he advised the king regarding the procedure that he should adopt. In spite of his vexation, for he knew that the mission of Dom Henrique de Meneses had been due to a lack of confidence in himself, he had shown no lack of zeal.³⁶ Cardinal Santiquatro and the ambassador-extraordinary, Dom Henrique, had also written. The letter of the last-mentioned, which still exists, and which was sent by the same messenger who brought the brief, is an important document, for it shows us how, in spite of the brief, all was not yet lost beyond repair. There were points on which the pope seemed to be immovable, and the general opinion in the curia was with him; on the rest, it was easy to come to an agreement. Dom Henrique called to mind the practicability of the proposal of Clement VII to revoke absolutely the two acts of December 17, 1531, the one that had created the Inquisition, and that of April 7, which virtually annulled it, beginning all over again, or else suspending it temporarily until this matter could be settled. With regard to this, he sent the king a tentative brief that the

³⁴ Brief *Venit ad nos*, of April 2, 1534, in M. 19 of Bulls No. 12 in the National Archives.

³⁵ Brief *Ex Litterarum* of April 9, 1534; original in M. 20 of Bulls, No. 4, and a Portuguese version in Drawer 2, M. 2, No. 5, in the National Archives.

³⁶ The existence of the letter of the archbishop to the king, as well as others both before and after it which we have not been able to find, and the little we have said in the text regarding its contents, are inferred from the two letters of the same Dom Martinho of March and September, 1535, which are to be found in Drawer 2, M. 1, No. 48, and M. 2, No. 50.

pontiff had directed him to communicate to his sovereign. As may be supposed, the ambassador thought the king would have good reason to be offended at the course of the pope; but he suggested that his counselors should consider carefully the course they should or might adopt, so that afterward he should not vacillate, and he suggested, though not very explicitly, the possibility of the relations with the pontifical court being broken off, and he and the archbishop being ordered to withdraw from Rome. As for the business itself, there were two solutions to choose from, both of which the pope would accept. The first was the one that had just been pointed out, namely to return to the status prior to the concession of the tribunal of faith; the second was the substitution for the bull of April 7 of another, containing the modifications that the pope accepted, it being made to appear that it had been requested by the king himself, and the details of which would be drawn up by Santiquatro. If this expedient were adopted the later re-establishment of the Inquisition would be more effective than before, even though it might be necessary to repeal some provision of canonical law in order to bring it about. Dom Henrique seemed inclined toward the first solution. If they should return to the former state of affairs, the nuncio, whose presence in this country was the greatest obstacle to a satisfactory conclusion of the business, would leave Portugal. Time would thus be gained, men and circumstances would change, and the king would have time to win over the pope. Under the other arrangement, the ambassador would offer Dom João a bit of advice suggested by Santiquatro. It was to the effect that the supposed solicitude of the monarch for the Jews should not be free; that, by way of penance, twenty or thirty thousand *cruzados*, or some other sum, should be extorted from them, to be divided with Clement VII, who was displeased with the king for not having supported him in divers trying circumstances.³⁷ He said that there was a general opinion in the curia that, above all else, it concerned the honor of the king and the memory of his father that the pardon be conceded, and he reminded him that in Rome all that was wanted was money.³⁸ He again sent a copy of the memoranda in favor of the bull of April 7, which he said, perhaps ironically, might easily be replied to, though he himself might not be equal to doing it. The rest of the letter referred to the finishing of his mission, to his desire for new

³⁷ "What Santiquatro says is that the Jews should not be treated with so much consideration, but that they should be made to pay as a penance twenty or thirty thousand *cruzados*, or whatever His Highness sees fit, and that *you share it with the pope* for his needs, with whom, he says, Your Highness has not coöperated in many matters in which the pope had need." Letter of Dom Henrique de Meneses, April 10, 1534, G. 2, M. 2, No. 36.

³⁸ "*que non querem senão dinheiro*"—"all they want is money."—*Ibid.*

instructions shortly, and to certain favors that Cardinal Santa-Cruz asked of the king. Finally he recommended that, in case of the adoption of the second solution proposed, Charles V should be induced to make fresh representations to the pope on the subject. A letter from Santiquatro to the king accompanied that of the ambassador-extraordinary, having for its object the driving home of the arguments it contained.³⁹

It is seen that there was one point upon which the two Portuguese ministers disagreed. That was the intervention of the Spanish cabinet in this affair. While the archbishop regarded this intervention as fatal, and attributed to it chiefly the ill results of the whole enterprise, Dom Henrique de Meneses advised new and pressing appeals in order to obtain the favor of Charles V, in case it should be decided to continue negotiations. It is evident that the decided support of the emperor was strong enough to influence Clement VII. For reasons foreign to our subject, the pope must have feared no other prince in Europe as he did the powerful monarch of Spain, and so the clear and unmistakable manifestation of his wishes in this matter would doubtless be equivalent to a formal command. Although the archbishop quoted the previous double dealing of the Spanish minister at Rome, yet, even supposing that such a course of action were the result of secret hints, it did not follow, as he thought, that that irresistible weapon was rendered useless; what was wanted was to take steps to give it a fine temper by seeking in every way to make the support of Spain efficacious and sincere. Why, then, did the archbishop, a shrewd man, try to put it aside, he who prided himself that it was only the utterly impossible that he could not bring to a successful issue?⁴⁰ It is possible that he wanted to prolong the struggle, because it was to his interest to reside at the court of Rome, and because, in spite of the exaggerations in regard to his own services that we find in his correspondence, the archbishop had betrayed his trust, possibly because in such disloyalty he found the means of carrying out the schemes he planned. On this subject later documents disclose a shameful story, one of those pictures that will not infrequently rise before the eyes of the reader, and which show how wrong they are who suppose that the sixteenth century, in so many ways inferior to our own, was better morally.

Dom Martinho was a very ambitious man. Not content with having been raised to the dignity of ambassador and primate of the Orient, but counting upon the favor of Clement VII, he began to look longingly on

³⁹ Letter of Dom Henrique de Meneses, *loc cit.*

⁴⁰ "If this business could be done as Your Highness wished, I should have finished it in the time of Clement, or of the present pope, or of any other whatsoever; but as I could not, it was simply impossible" (*não foi acabavel*).—Letter of Dom Martinho of September 13, 1535, Drawer 2, M. 1, No. 50.

the cardinal's purple.⁴¹ To this end it was necessary that he should not alienate the feelings of the pope, who was firm in his purpose of favoring the New-Christians; and, furthermore, it was necessary to gain the good will of the most influential persons in the curia, who, as we have seen, were strongly in their favor. And then if it were true, as Dom Henrique de Meneses said, that what was wanted in Rome was money, a man with no inconvenient scruples to hamper him must, in order to gain his ends, make use of every method of getting it. From the counselors of Dom João III we know that it was generally believed in Portugal that the good will of the curia toward the New-Christians was not gratuitous, and the pope himself was not exempt from such suspicions. On this theory the buying of a simple archbishop would not be a matter beyond the resources of the converts. Be that as it may, it is certain that when Dom Henrique reached Rome there were already secret understandings between Dom Martinho and Duarte da Paz who had had private conferences daily.⁴² At that time the archbishop was trying to remove a great difficulty which interfered with his plans. That is, he was the bastard son of the bishop of Evora and a certain Briolanja de Freitas,⁴³ and this fact rendered him ineligible for the cardinalate. Clement VII was not ignorant of it, but being indifferent to the matter⁴⁴ he consented to play a part in a farce, which, in order to gain his ends, the Portuguese envoy had thought he would. Certain persons named Correia, then living in Rome, in collusion with him, pretended to sue him for some property, either real or supposed, which they claimed Dom Martinho ought not to inherit on account of his being a bastard. The ambassador denied the plea, and the pope appointed judges to settle the question.

⁴¹ This narrative is deduced from two letters of Dom Henrique de Meneses of October and November, 1535, and from others of Santiquatro of November 10 and 16 of that year and of May 28, 1536, which are in Drawer 20, M. 7, Nos. 1, 23, 24, and 26, in the National Archives.

⁴² "And because of this it is lost, and was long ago . . . for ever since I have been here until now, yesterday, and day before yesterday, and today, and every day, the archbishop has times and occasions for talking as much as he likes with Duarte da Paz."—Letter of Dom Henrique of November 1, 1535 (Drawer 20, M. 7, No. 23). It is to this that reference is made by the brief *Exponi nobis* of June 12, 1536 (M. 14 of Bulls No. 7, and M. 24, No. 35), in which the process of legitimization of the archbishop is annulled, *ibi*: "*minus quam conveniret ad regia negotia, et nimis ad sua intentus,*" *minus probe* "*et etiam quam par esset,*" etc. Less attentive than he should have been to the king's business, and too attentive to his own; less honest than was seemly.

⁴³ Brief *Exponi nobis*, *loc. cit.*

⁴⁴ "*Quasi che avesse piacere (Clement VII) che uno bastardo venisse al grado del cardinalato.*"—As if he (Clement VII) delighted in a bastard's obtaining the rank of cardinal.—Letter of Santiquatro, Drawer 20, M. 7, No. 26.

The archbishop then brought together all sorts of false documents and had as many inquiries set on foot as he wanted, with as many false witnesses as he required, to prove judicially that he was legitimate. The registers of the curia were full of petitions in which at different times and on various occasions Dom Martinho had admitted that he was a bastard and had asked for dispensation; but, as the whole proceeding was nothing more than a farce, not even the opposition questioned the proofs, nor did the judges take the well-known fact into account, and the legitimacy of the archbishop was established by a decision.⁴⁵ Thus prepared, it only remained for him to await the occasion of a creation of cardinals, and to have in his favor the counselors of the pope, and in this matter Duarte da Paz, who had won their goodwill, might be eminently useful to him. In all these matters the astute prelate acted with great caution, so that it was only some time afterward that Dom Henrique de Meneses found out what the archbishop was aiming at. Thus involved in these base entanglements, and deceived by the appearance of zeal on the part of his colleague, Dom Henrique unwittingly contributed to the deception of the king by exaggerating the services and unwearying activity of Dom Martinho.⁴⁶

If the ordinary ambassador in Rome betrayed the confidence of his sovereign, probably using in this connection for his own private ambitions the agent of the New-Christians, the latter did not, on his side, do anything out of keeping with his character as the reader has already seen it at the end of the preceding chapter. Whether his offers to sell the Portuguese Jews whom, outwardly, he served with so much zeal, had been formally accepted, or whether to this infamous traffic a mere tacit assent had been given, is more than we can say. It is certain, however, that while he appeared to be winning for himself such a signal triumph in the Roman curia he was denouncing to the government, through the archbishop, the most notable of the pseudo-Christians who were seeking to find safety by fleeing from Portugal, and was indicating which ones ought to be arrested and tried, and suggesting the steps that should be taken to prevent their escape, and to this end offering himself to raise up obstacles in Italy.⁴⁷

⁴⁵ "*Retrovato le falsita . . .*"—Discovering the falsity of the witnesses and of the attorneys and the collusion between the parties.—*Ibid.* See the brief *Exponi nobis* where this farce is described at length.

⁴⁶ Letter of Dom Henrique already cited, of April 10, 1534. As we shall see later, the rage of the ambassador-extraordinary reached its height when, in the following year, he discovered the plot of the archbishop whom he calls "this traitor."—Letter of Dom Henrique de Meneses of November 1, 1535, Drawer 20, M. 7, No. 23.

⁴⁷ "And that you may see the virtue there is in him (Duarte da Paz) I have sent you with this letter the very letters that he gave to the archbishop of Funchal to send me, wherein he disclosed some of his people, and the principal ones, who wanted to escape from here, to be made prisoners and to be proceeded against, and

If previously Duarte da Paz, in sending to the king the cipher to be used in their correspondence, requested the greatest secrecy, urging that not even Brás Neto, the ambassador himself, should know about these relations with the king, why was he now writing through Dom Martinho? We are obliged to suppose that there were some mysterious bonds connecting these two men, which the prelate could not break off without fatal results to himself. Otherwise the confidence of the astute Hebrew would be inexplicable. What is certain is that they both were gainers by the suspension of the contest. On the one hand the archbishop, who held the key to the affairs of the Inquisition, could hardly be replaced, and the proof of it was that Dom João III, instead of removing him, contented himself with putting next to him either a more active or a more trustworthy man. On the other hand, the funds that the New-Christians had at their disposal to save them from extermination passed through the hands of Duarte da Paz, and the more difficulties he could put in the way of the definite realization of the advantages he himself obtained, the more would he gain from the shady negotiations entrusted to him. This theory, which rests upon very probable foundations, and on the known character of the two agents, offers a fairly plausible explanation of these facts of repugnant immorality.

In the meanwhile what was going on in Portugal? The bull of April 7 contained the most explicit provisions and the strictest directions and, in so far as human foresight could anticipate, it provided for every kind of opposition. At a court which professed to be so profoundly imbued with Catholic beliefs as that of Portugal, the language of the supreme pastor and the terrible threats with which he sanctioned its provisions should have bowed every head. Supposing that the provisions of that bull had not been supported, as they were, by the irrefragable doctrines of Christianity, and supposing that the wisdom of the pardon granted was a matter of controversy, it is evident that the pope, upon whom the establishment of the Inquisition rested, a fact recognized even by Dom João III himself, could, upon the king's solicitation, annul it just as he had instituted it. Yet the punishments fulminated in the diploma of April 7 fell most justly on the heads of those who might disobey. The existence of the brief of April 2, 1534, made no difference. Though Clement VII had there left the door open to subterfuges by promising to listen to all the complaints the king might wish to make against the pardon or against its conditions, this did not stand in the way of its enforcement, for the bull invalidated beforehand any subsequent acts of the pope that might serve

what he offered to do in this matter and the steps which, to this end, he requested me to take, etc."—Letter of Dom João III to Santiquatro dated of 1536, Drawer 2, M. 1, No. 28.

as obstacles to its execution.⁴⁸ These obvious considerations, which should have allayed the minds of the godly or of the sincerely faithful, made not the slightest impression in Portugal, and this document the provisions of which seem irresistible had little or no result. So certain is it that fanaticism in its frenzy cannot yield to any denial of the doctrines it is fighting for, and that hypocrisy makes a joke even of its own mask, when it sees no other way to humbug heaven and earth.

While the Portuguese Jews were seeking protection against their persecutions in the bosom of Clement VII, and while it seemed to the eyes of the world as if the day of redemption had finally dawned for them, they were groaning under the unwearying and unremitting martyrdom prepared for them by their enemies. We have already seen what information was obtained in Rome regarding the system of persecution adopted by the Portuguese inquisitors, a system essentially the same as that followed in Spain. To the horrors practiced inside of the walls of that sinister tribunal, and which, even in those early days, as we learn from the facts mentioned in the memoranda of the Roman curia, were similar to those of which so many vestiges remain in later times, was added civil persecution, which, by giving an impulse to the proceedings against heretics, turned the ordinary ecclesiastical tribunals into a kind of supplementary Inquisition. At times the king ordered judicial inquiries in the more remote districts where the Inquisition had no delegates. In view of these inquiries, royal orders were sent out addressed to the respective prelates, directing them to arrest such and such individuals and to try them as Jews. The ecclesiastical tribunals thereupon transmitted these orders to the magistrates of the place where the victims lived. These magistrates were, as likely as not, the very ones who had made the charges. To arrest the suspects and take them to the head of the diocese, they did not call upon the regular police of the district or municipality, but upon bailiffs and extraordinary guards, for which they sometimes chose the personal enemies of the prisoners. The property of these victims was immediately sold at auction, and these sham constables were paid big fees; and there were cases of the property of the defendants having been bought at trifling

⁴⁸ "*ac easdem praesentes . . .*"—"and that this present letter cannot be censured or impugned on the ground of a fault of subreption or obreption or of failure to show our intent, and that it is not included under any revocations, modifications, limitations, and suspensions whatsoever made in any letters whatsoever, whether similar or not, even such as have been made and are to be made through ourselves and the same holy see, but that it is always excepted from them, and as often as it shall have been recalled or limited it is invariably restored to the state in which it now exists, and stands renewed."—Bull *Sempiterno Regi*, April 7, 1533, *loc. cit.*

prices by the very magistrates themselves, under pretext of urgency to get ready money to meet traveling expenses. Thus the poorer ones were reduced to want before they were condemned. The ill treatment they suffered on the road, surrounded by ferocious guards and exposed to the fanaticism of the rabble, may easily be imagined. Knowing of the existence of the bull of April 7, the victims turned to the nuncio; but, reduced to poverty, how could they hope for effective help from such a man as Sinigaglia? And, could he give it to them? In this fatal alliance between the government and the Inquisition, all accusations, even those based upon the most frivolous pretexts, were eagerly received, and it thus came about that certain individuals, after having been kept in prison years and years, were able to prove that their accusers were the ones really guilty of the crimes charged to them, and had committed them for the sole purpose of charging them against others. The obscurity of poverty and the splendor of wealth were equally unable to save members of the proscribed race. To have an enemy was all that was necessary to undo any one of them, to say nothing of their being hated by the majority of the people.⁴⁹ As if this were not enough, the proceedings of the Inquisition in Spain were having direct results in Portugal. In consequence of the relations between the New-Christians of the two countries, the Jews of Portugal found themselves at times seriously compromised, either because they were condemned in Spain as heretics, even though they were foreigners or though they were absent, or because the Spanish inquisitors sent transcripts of the trials to the prelates and afterward to the inquisitors of Portugal. There is in existence a petition in which a young man of this unhappy race briefly tells his own story. He was one of those brave men who daily fought for the faith on the fields of Africa, fields which Dom João III was thinking of cravenly abandoning to the infidels while he amused himself with lighting the fires of the Inquisition. He had there performed distinguished services and had been knighted while yet in the flower of youth. Having become involved, we do not know how, in a case sent from Spain, and condemned to prison for life, he had been dragged for seven years from one dungeon to another, until, after much entreaty, he had been permitted to retire to a cell in the convent of the Trinity at Lisbon. After having suffered continual hunger there for two years, and looking with terror upon the long continuance of such a life, the unfortunate young man asked the king that, in view of his services and of all he had suffered in the last nine years, he be allowed to go and die in Africa in defense of Chris-

⁴⁹ There are authentic documents regarding the trials of various individuals at Chaves, in Madeira, and at Evora, in *Symmicta Lusitana*, Vol. XXXI, folios 109, 137, 151 v., 161.

tianity, the religion that had been discredited in Portugal by the atrocities of the inquisitors.⁵⁰

When the bull of April 7, 1533, reached Portugal, Marco della Rovere sent authentic copies of it to the metropolitan and to other prelates without giving notice of this step to the government. This circumstance prevented the execution of the apostolic letters on the civil side. Thus the bishops were limited to accepting them, without proceeding to their promulgation. The existence of the concession was known; the New-Christians appealed to it; but its effects could not be realized in practice. In view, however, of the brief of April 2, 1534, the nuncio himself felt that he should give the king time to present new considerations in Rome to refute, if he could, those presented on the part of the Holy See. He therefore addressed to the prelates of the kingdom a circular authorizing them to defer the official publication of the pardon, and to suspend all acts in execution of the bull.⁵¹ Under these circumstances the court of Portugal had no need of extraordinary haste except to find the replies to the considerations of the brief of April, which was no easy matter. Consultations on the subject were protracted for some months, during which time the situation of Dom Henrique de Meneses and Santiquatro became more and more difficult from lack of instructions and information that were necessary for the utilization of the last rays of hope left them.⁵² So Dom Henrique, shocked by the immoralities that he saw going on in the court of Rome, insisted that the king should order him to withdraw from it.⁵³ In the meanwhile, a circumstance already foreseen increased the difficulties surrounding the agents of Portugal.

Since his return from Marseilles, Clement VII had not had a moment's good health. He seems himself to have been convinced that his death was near. As summer approached, his sufferings grew worse. It was not old age that was carrying him to the grave, for he was only fifty-six years old. He was attacked by violent pains in his stomach. Some believed that he died of poison. Certain writers say that the Roman curia detested him, that the princes had no confidence in him, and that his reputation was generally bad. He was regarded as avaricious, faithless, a man of small benevolence, though not vindictive, a fact attributed to his natural timidity. On the other hand he was considered sagacious, circumspect, and polite, so that his judgment was always best when undimmed by fear or other

⁵⁰ "Corpo Chronologico," Part 1, M. 53, No. 53, in the National Archives.

⁵¹ This is related in "Instrucção" without date in Drawer 13, M. 8, note.

⁵² Letter of Santiquatro in Drawer 2, M. 5, No. 51.

⁵³ Letter of Dom H. de Meneses of August 19, 1534, in the "Corpo Chronologico," Part 1, M. 53, No. 82. His insistence upon his retirement from the place is repeated in letters of August 21 and September 25 of the same year.—*Ibid.*, Nos. 86 and 113.

passions.⁵⁴ The last months of his life were one long agony. Though he died only toward the end of September, he was considered to be in a dying condition in July and the last Sacraments were then administered to him.⁵⁵ Under these trying circumstances when the conscience places before a man the truth in all its nakedness, and when worldly affairs give way to the imperious voice of conviction or remorse, Clement VII ordered the dispatch of a brief on July 26, in which he recapitulated summarily the state of the whole question. Emphasizing the fact that for four months he had waited in vain for action on the part of the court of Lisbon, he ordered the bishop of Sinigaglia to enforce the bull of April 7, providing at the same time that, in case Dom João III or his ministers should place obstacles in the way of its publication, accused persons should be relieved from all canonical penalties imposed upon them in the ecclesiastical tribunals, and that they should be considered as absolved, independently of the formalities prescribed in that bull, applying the censures there pronounced in order to break down all opposition.⁵⁶ In the preamble of the brief, Clement VII referred to the state of his health, to his approaching death, and to the voice of his own conscience. This document we may well call a passage from his will as the common father of the faithful. Whatever abuses and corruptions there may have been in regard to this business in the Roman curia, and admitting even that motives not of the purest had influenced the pope, as was truly stated in Portugal,⁵⁷ it is certain that at that solemn moment his resolve expressed a legitimate sentiment and a sincere conviction, foreign to every earthly consideration, that in the cause of the New-Christians, religion, justice, and humanity were equally concerned.

Clement VII having died on September 25, the conclave met, and the electoral intrigues began. At this juncture Dom Henrique de Meneses wrote to the king, expressing the hope that someone favorable to the

⁵⁴ Ciacconius, *Vitae Pontif.*, Vol. III, col. 370.

⁵⁵ "*Papa Clemente un giorno . . .*," etc.—Pope Clement, one day after having received the viaticum, and belong more to the next world than to this, dispatched another brief direct to his nuncio on the same execution of the said bull.—Letter of Santiquatro, *cit.*

⁵⁶ Brief *Cum inter alia* of July 26, 1534, cited in the *Verdade Elucidada*, Argum. No. 10, and the Portuguese version in Drawer 2, M. 1, No. 40, in the National Archives.

⁵⁷ ". . . all this importuning of Clement to give out this brief when at the point of death came from his confessor's telling him on behalf of the New-Christians that, as he had their money, he could not conscientiously give him full and free absolution. And this is the truth, and so Santiquatro said to Pope Paul in our presence. Now Your Highness can see how much truth there was in the nuncio's telling you that the pope had not received money, the nuncio who writes here to tell every evil thing done."—First letter of Dom Henrique de Meneses of October 29, 1534; "Corpo Chronologico," Part 1, M. 53, No. 135.

plans of the Portuguese court might ascend the pontifical throne. "But," he added, "he is to be chosen by thirty-six devils, for that is the number of the cardinal electors." In spite of his characterization of the members of the conclave, however, he prayed that God might enlighten them in that undertaking.⁵⁸ Finally, on October 23, they elected Cardinal Alexandre Farnese, dean of the sacred college, with the name of Paul III. The archbishop of Funchal, a man whose defect was certainly not a lack of capacity, described the new pope to Dom João III as follows:

Paul III was seventy years old, and he asserted that he had seven years more to live, but that if he lived beyond that term he would live still another seven years. The common people believed that the pope made this prophesy because he was an astrologer, while he himself let it be known that it was through divine revelation. He was noble and wealthy, and his election had met no resistance either within or without the conclave. The summoning of a council, in which an effort should be made to put an end to the dissensions stirred up by Luther and other reformers, was an idea generally well received in Europe, but to which Clement VII had always objected. Paul III had adopted it while yet he was a cardinal, and he could not fail to regard himself as pledged to the realization of that idea. So he hastened to send nuncios to various places to discuss the subject with the Catholic princes. One of his first acts was to appoint a commission of various cardinals who should proceed to a reform of the abuses introduced in the Roman curia. He said he was determined to re-establish the rule of rigorous justice, disregarding all influences brought to bear upon him and crushing out all attempts at reaction. He declared that he did not want to increase his own fortune, and that he would marry his two granddaughters, not to members of the royal families, but to persons of the same condition with them. Taking advantage, however, of the examples of his predecessors, he promoted two of his grandsons to be cardinals, though neither of them was more than fifteen years old at the time, an extreme abuse, which indeed he recognized to be such and from which he promised to refrain as soon as the reforms he had in mind were accomplished. He was not known to be dominated by anyone, and all of his resolutions were entirely his own. He was verbose, and but little skilled in matters relating to the procedure of the chancellery, preferring to follow therein the customs of the preceding century. He treated ambassadors with less consideration, rarely giving them audience, and thought more of a cardinal than of all the foreign ministers put together. It was the general opinion that he was incorruptible, and he made it a rule

⁵⁸ Letter of Dom H. de Meneses of October 4, 1534; "Corpo Chronologico," Part 1, M. 53, No. 120, in the National Archives. See also the letter of September 25, *ibid.*, No. 113.

to respect the acts of his predecessor, in order, as he said, to put an end to the old custom of one pope's undoing what a former one had done. This, however, did not prevent his being extremely jealous of the authority and prerogatives of the apostolic see. He abolished all exemptions or privileges conceded by it, no matter to what prince, when such privileges interfered in any way whatever with the legitimate prerogatives and rights of the Roman curia.⁵⁹

Such was the man who was now to be arbiter between Dom João III and his Hebrew subjects. The instructions of the court of Portugal had arrived at Rome only on September 24, the day before the death of Clement VII.⁶⁰ As soon as the new pope was elected, the agents of Dom João undertook to use the new situation without delay, seeing that the pope was unfettered by the promises of his predecessor. The main thing was to have suspended the enforcement of the writs already dispatched. Into this matter they threw all of their influence; for, supplied with new arguments and knowing the procedure that they were told to follow, the principal thing for them was to start the discussion afresh.⁶¹ The Count of Cifuentes, ambassador of Charles V, had finally received definite instructions to favor strongly the wishes of the court of Portugal, and the emperor himself had written about the matter to the new pope, who, in two successive audiences granted to the ministers of Dom João III on the days immediately following his election, became acquainted with the state of that disagreeable business. Santiquatro, whom Duarte da Paz had tried to buy with an offer of a pension of eight hundred *cruzados* a year, and who had rejected it, took up the defense of the king of Portugal in these conferences, to which various persons had been called. A certain Burla, who had charge of the editing of the pontifical documents, and who favored the New-Christians, was there violently attacked by the cardinal, who charged him to his face with secret intrigues, and on this occasion Dom Henrique de Meneses learned of the granting of the brief of July 26, the existence of which Clement VII had forbidden to be made known in Rome before his death. There were also present in the room, though not taking part in the debate, Duarte da Paz and another New-Christian named Diogo Rodrigues Pinto. Dom Henrique de Meneses, who had kept silent for a long time, declared positively to Paul III that he would not treat of anything whatever so long as those two men were present. The pope replied that, though they had not been called in, and though he might be willing to have them leave the room, it was not possible to avoid hearing them upon a subject of so much interest to their clients. It was finally

⁵⁹ Letter of Dom Martinho of March 14, 1535, in Drawer 2, M. 1, No. 48.

⁶⁰ *Ibid.*, Letter of Santiquatro, *loc. cit.*

⁶¹ *Ibid.*, Letter of Dom Martinho, *cit.*; Letter of Santiquatro, *loc. cit.*

agreed that a committee should be appointed to look into the matter, and to report to the pope, so that he might act with justice in coming to a definite decision on the question.⁶²

As a result of what had taken place at the last conference, and of the combined efforts of Cardinal Pucci and of the Count of Cifuentes, who on this occasion had manifested the greatest desire for the success of the cause in which Dom João III was interested,⁶³ the pope ordered the preparation of a brief addressed to the nuncio, in which he was ordered to suspend the bull of April 7, 1535, or to suspend its enforcement in case it had already been published, thus annulling the brief which Clement VII had dispatched just before he died. He likewise ordered another addressed to the king, in which he notified him that, the ambassadors having presented the replies from Portugal to the diploma of April 2, 1534, with the request that he should have them carefully examined, he had named a committee for that purpose, meanwhile suspending the bull and directing the inquisitors and the bishops having jurisdiction to abstain from all judicial action against those suspected or accused of heresy, the prisoners to be released on bail, or without it if their property had been seized, only the relapsed being denied such benefit.⁶⁴ In order to have these measures carried out, Paul III temporarily reinstated the bishop of Sinigaglia as nuncio.⁶⁵

The situation of the nuncio in Portugal was no less trying than that of the agents of Dom João III had been up to that time at Rome. With the brief of July 26 had come the news of the probable death of Clement VII, news that was soon confirmed. Marco della Rovere wished to comply with the pontifical orders; but the king objected. For some time the monarch had already been looking askance at the nuncio, and he made no secret of the fact.⁶⁶ This increased their mutual dislike. Dom João III expressly forbade the enforcement of the bull of pardon and of the brief reviving it. But the representative of Rome, disdaining the wrath of the king, ordered them published and made known through the apostolic notaries in all of the dioceses of the kingdom.⁶⁷ Just as matters had

⁶² Second letter of Dom Henrique de Meneses of October 29, 1534; "Corpo Chronologico," Part 1, M. 53, No. 137.

⁶³ *Ibid.*

⁶⁴ Briefs of November 3 and 26, 1534, in M. 12 of Bulls, No. 12, and M. 7, No. 15, and a version of the last in Drawer 2, No. 9, in the National Archives. The first of these briefs was not sent out until some time after its date. See the letter of Dom Henrique de Meneses of November 5, 1534; "Corpo Chronologico," Part 1, M. 54, No. 5.

⁶⁵ Brief of November 10, 1534, in M. 23 of Bulls, No. 3.

⁶⁶ "Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 35.

⁶⁷ "Nuntius ipse viriliter . . ."—"The nuncio, bearing himself manfully, even in the face of the king's wish, or rather of his not inconsiderable vexation, caused the

reached this point the Portuguese government had to add to its solicitations at the curia another one no less insistent, the immediate removal of Sinigaglia. The latter, meanwhile, determined to protect the converts in so far as it would be possible for him to do so without seriously compromising himself. No sooner did he receive from Rome the brief prohibiting him and the bishops having jurisdiction from taking any final steps concerning the New-Christians than he intimated to the prelates the pontifical decision, but led them at the same time to understand that, though it were not permissible for them to carry out the bull of pardon, yet neither was it permissible to break it. And he warned them that this resolution in no way prejudiced the fact of the notification, publication, and promulgation of the same bull, which must not be held as annulled in its provisions or in its future effects.⁶⁸

In conformity with the plan he had adopted, Paul III selected as commissioners, to examine anew and to settle the question in dispute with the court of Portugal, two of the ablest men in the curia, to whom the pope entrusted the most arduous matters, Gerolamo Ghinucci, bishop of Malta, auditor of the apostolic chamber, and Giacomo Simonetta, bishop of Pesaro, and auditor of the Róta, both of them raised to the cardinalate a few months later.⁶⁹ The ambassadors and Santiquatro, as protector of Portugal, had to combat not only the reasons that had served to support the brief of April 2 and the bull of general pardon, but also the limitations under which Clement VII had promised to re-establish the Inquisition after the provisions of that bull had been put into operation. As for the principles upon which the cardinals and theologians of the earlier commission had rested the maintenance of these provisions, there were arguments opposed to them which the counselors of Dom João III regarded as strong enough to invalidate them. The Portuguese canonists and theologians understood that, granting the hypothesis of conversion having been forced, it had taken place so many years ago that the greater part of those baptized at the time were dead, many had been expatriated, and others yet living had accepted the fact, and were living in the country with the outward appearances of being Christians; the excuse of violence not

publication and notification through the notaries of the same nuncio in all the dioceses of the said realms, not only of the first bull of pardon, but also of the declaratory brief."—*Ibid.*

⁶⁸ A copy of the monitory of the nuncio, addressed to the prelates, evidently predated November 3, 1534, is in "Corpo Chronologico," Part 1, M. 54, No. 2.

⁶⁹ Letter of Dom Martinho already cited. Ciacconius, Vol. III, col. 569 *et seq.*—"The judges who are, at least one of them, the best in the world."—Letter of Dom Henrique de Meneses, March 17, 1535, in Drawer 2, M. 5, No. 55. "Simonetta . . . as he is a good man and a learned one."—*Ibid.*

being, in any event, applicable to the Spanish refugees; that compulsion, in case there had been any, had been conditional, and so according to church law, could not serve as an excuse for the crime of heresy; that the sons and grandsons of the first converts, although secretly educated by their parents in the law of Moses, might have convinced themselves of the truth of Christianity, following it in appearance, as they had done for so long a time, attending acts of worship, learning the Catholic doctrine, and listening to the preachers. They then discussed the principles invoked in Rome concerning liberty and spontaneity of belief, and they upheld the legitimacy of conditional compulsion, that is to say, more or less exaggerated doctrines of intolerance and fanaticism, and they cited again, in support of compulsion, examples of pious princes, an argument to which they had already had recourse when alluding to Sisebuto. In their own opinion, the blood and sorrows of the Hebrews, so far from smirching the memory of King Dom Manuel, should be the dead monarch's title to glory; for those who had lost their souls through contumacy had done it in spite of him, while those who had been sincerely converted should thank him that they had gone to heaven. It is seen that the accusation of slackness in teaching the converts the doctrines of the church had struck the defenders of intolerance a hard blow, and they sought in every possible way to prove that in this respect the pope had been wrongly informed; but they limited themselves to vague denials. Going into the subject of the defense of the special provisions for the verification of the pardon, they successfully attacked their adversaries, maintaining that the bull made no provisions for those who, going to the nuncio to claim they had been forcibly baptized, frankly presented themselves as followers of the law of Moses. This was perhaps the most vulnerable part of the bull. In vain had the theologians of Clement VII wished to apply to the false converts certain provisions of that document. They all turned on the conditions and forms of the pardon, and, according to the doctrines upon which the bull was based, those who had never consented to be Christians could not be pardoned, for they were not amenable to any penalty. Supposing, however, that they should be included in the category of those for whom the pope reserved the right of dealing with himself, they understood, in accordance with his own declarations and with the report of the nuncio, and they understood rightly, that there was no other rational solution than to issue an order allowing them to leave the kingdom with their property and to live wherever they chose as Jews. But they concluded that, on this theory, they would all say they had been forcibly baptized and many of them would go to Turkey and other infidel countries, taking with them their great wealth, and leaving Portugal impoverished. On this point the thoughts of the fanatics are revealed with an almost childish artlessness.

The remedy for the ills they feared was tolerance; it was to restore things to the state in which they had been for the last four hundred years. But this simple, reasonable, and Christian solution never occurred to them. They wanted persecution and gold. But as the provisions of the bull of April 7 were sometimes illogical in regard to the general principles on which they were based, so too the defense of the general doctrine, while powerful and irresistible, was sometimes weak in its details. To the objection that, if pardon was to be obtained by auricular confession, those who were still secretly Jews would, in order to save themselves, come and abuse a sacrament in which they did not believe, answer had been made in Rome that it was not to be supposed that those who were sincere followers of the law of Moses would do so. The reply of the Portuguese theologians to this was decisive. What had the pseudo-Christians been doing for more than thirty years but demonstrating the emptiness of such a supposition by abusing all the sacraments? Those who wished to remain in the kingdom, and there were many such, for the government would not allow them to take away their property, would inevitably take such a course.

They went on discussing anew, with more or less success, the forms and conditions of the pardon, strengthening the arguments regarding the inconveniences formerly brought forward and pointing out others not raised in past conferences. They dwelt chiefly upon the certainty of the impunity extended to persons guilty of heresy, even admitting the presumption that they were not guilty who had not accepted baptism voluntarily. Afterward they showed, by new views of the matter, the impropriety of empowering a foreigner, the nuncio, to judge again those who had been condemned, and that there should be entrusted to them the revision of the trials, once more insisting upon the injury done to the Inquisition and to the prelates of Spain by such a disposition, from which, moreover, might come serious conflicts between the two crowns. Finally they made a great effort to belittle the terrible argument of Cardinals De Cesis and Campeggio, and the theologians who assisted them in the first conferences, deduced from the acts of Dom Manuel and of Dom João III himself, acts by which they had guaranteed impunity to the New-Christians not only for the past, to which the bull of April 7 referred exclusively, but also for the future, and for a rather long future at that.

The reply on this point was deplorable. They ventured to assert that temporal authority had no power to grant pardon, save in civil matters, and that the king could not prevent the ecclesiastical tribunals from punishing those who were delinquent in matters of faith. They understood that the inquiries, against which immunity to the New-Christians was secured in the diplomas of Dom Manuel and his son, had become

secular law—inquiries they held as inapplicable to questions of heresy. These privileges, however, did not prevent the prelates of the dioceses from proceeding in accordance with canon law against suspects, and if the bishops had not done it, it was not the monarch's fault.⁷⁰ Thus it was declared in the name of Dom João III that the privileges of the Hebrews, apparently so ample and precise, were, in virtue of the mental reservation of the sovereign, nothing more than a perfect mockery. What real difference did it make whether the persecuted converts were arrested and punished in the name of temporal law or of ecclesiastical law? The doctrine now appealed to was, generally speaking, correct, but there was another question involved. The obvious and undoubted meaning of those privileges was that they were a guarantee against material oppression. Any other interpretation would be an act of dishonesty and an unworthy bit of sophistry. Such oppression the king could prevent in any case. It made very little difference to the pseudo-converts whether the bishops judged them to be Jews or heretics, and condemned them to spiritual punishment. What they objected to was being put in prisons, tortured on the rack, thrown into the flames, shut up in prison for life, robbed and reduced to want, they and their children. Such outrages and atrocities, by a ridiculous legal fiction and a meaningless quibble, were left in the hands of the temporal power. They were the result of the *helps of the secular arm*, by which public authority was turned into a hangman for the bloody decisions made in the tribunal of the faith. It did not admit of doubt that either a cruel deception had been practiced for the purpose of lulling to sleep the victims on the verge of an abyss, or else that the interpretation now given to the privileges of the Hebrews meant a traitorous negation of the royal promise and a shameful apology for the efforts that had been surreptitiously employed three years before in order to establish the Inquisition in Portugal.

The opposition to the charges made in the curia in favor of the provisions made by Clement VII was accompanied by the bases on which the king felt the pardon ought to be founded, if the pope should insist upon granting it. These bases, which, in accordance with the considerations offered by the Portuguese theologians and canonists, excluded the intervention of the nuncio, presupposed the re-establishment of the Inquisition, and that the indulgence intended for the converts would be bestowed by the inquisitors. In these bases the doctrine was maintained that the pardon should not be given by auricular confession, but through

⁷⁰ Reply of the Scholars on the matter of the Inquisition, etc. Document without date, but evidently the answer to the charges (found in *Symmicta Lusitana*, Vol. XXXI, folios 395 *et seq.*, Nos. 16 and 17) made in the curia; Drawer 13, M. 8, No. 5, in the National Archives.

solemn reconciliation. The point was yielded that the benefit of the bull of April 7 should be bestowed on those accused and arrested, but with the limitation that those persons should be excepted whose guilt had already been proved and who had been sentenced. It was proposed that the inquisitors should be the ones to fix the term of grace allowed those who were absent, within which they were to come forward and enjoy the benefit. From it were excluded all who committed offenses subsequent to the concession. They accepted the modification made in the brief of April 2, 1534, to the effect that those who were simply reported or suspected should be obliged to justify themselves judicially (although they might not be obliged to abjure and to be reconciled, as the king had previously desired), and not by two or three extra-judicial witnesses, as was provided in the bull. Regarding the property of the New-Christians, an effort was made to avoid the odious suspicion current in Rome that so much zeal for the faith in Portugal, just as was said to have happened in Spain, was nothing more than a low scheme for robbery, the king agreeing that there should be no confiscation for culprits, including even the relapsed, and this for a term of seven years. Exceptions were made of those who died impenitent, of those who were absent and who, through contumacy, did not come to defend themselves personally, and of those who committed offense after the new bull had been published. With these modifications, and with the concession of everything else that Dom Henrique de Meneses had been instructed about, Dom João III not only yielded to the pardon but even requested it.⁷¹

In secret instructions the ambassadors were authorized to effect a compromise with the Roman curia if the conditions that Dom Henrique had offered, along with the modifications now sent should not be fully accepted. The compromise was upon the question of the relapsed who were in that state when the dispute was settled. They were granted, in general, the benefit of the second reconciliation, thus escaping the death penalty and other consequences of a crime always regarded as a capital one, but there was imposed upon them, at the will of the inquisitors, a punishment harsher than was meted out to the *semel-relapsos*, that is to say, those who had been accused and tried but once. The exceptions, however, were such that it seemed as though only those whose relapse remained undiscovered could receive any real benefit from this concession which appeared to be so generous.⁷² Besides these instructions, Dom João III sent to the ambassadors special confirmatory letters, with an official re-

⁷¹ Memoranda to be presented to the pope, Drawer 2, M. 2, No. 24, in the National Archives.

⁷² Memoranda, etc.—*Ibid.*, No. 28. This document is a sequel to the earlier one. Neither of them is dated; but, judging from their contents, they cannot belong to

quest to the pope that he remove Marco della Rovere, whose open hostility had, as we have already seen, reached its climax.⁷³

The agents of Portugal at Rome being thus enabled to obtain better conditions, there were sent them jointly letters for the pope, in which the king, while abstaining from discussing the matter, requested that everything should be determined in accordance with the bases he had formerly proposed and now modified, and this he asked purely and simply as a special favor of the pope. Evidently it was meant in this way to avoid the humiliating situation of a contest between the representatives of the crown of Portugal and the attorneys of the New-Christians before the apostolic delegates, which would have turned a diplomatic negotiation into a quasi-judicial question. In accordance with this idea, a letter was written to Dom Henrique, the contents of which the ambassadors would communicate to the pope, while other secret but identical letters were sent to each of them, in which they were warned that the paper drawn up by the Portuguese canonists and theologians should be shown to absolutely no one, but they were to study it, and then they were to bring forward these reasons in the conferences as their own when they thought the occasion opportune, and without ever letting it be known that it had been suggested to them from Portugal. The king hoped that Rome would yield in view of the mutual concessions that had already been made; but he gave them orders that, in case of their not reaching an agreement, they should let him know promptly, so that they could receive new instructions, and he told them that if Alvaro Mendes de Vasconcellos should notify them that Charles V was again recommending the matter to his ambassador in Rome, they should take up the question with him, accepting any services that he might render them, whether good or bad, and keeping in perfect harmony with him. These letters were accompanied by others addressed to various cardinals, who had either favored the plans of the king, or whom it was hoped by such means to induce to aid them in future debates.⁷⁴

In these debates between the interests of the New-Christians and the plans of the king the advantages were about even. The mutual understanding between Duarte da Paz and the archbishop of Funchal might secretly influence the final decision of the pope; but in the committee there were two

a time other than the one to which we have assigned them. The document without date in Drawer 2, M. 5, No. 44, seems to contain the final memoranda sent on this occasion in regard to the relapsed.

⁷³ The minutes of these special confirmatory letters are appended to the appointments in Drawer 2, M. 2, No. 24.

⁷⁴ Minutes of the letter to Dom Henrique de Meneses, without date, in Drawer 2, M. 2, No. 36. Its context shows that it refers to the appointments and instructions of Nos. 24 and 28.

equally powerful influences in opposition to each other. Santiquatro, who was generally said to be in the pay of Dom João III, and to whom many of his colleagues in the sacred college did not hesitate openly to express this suspicion,⁷⁵ made every effort for the triumph of his protégé, and his position as cardinal and penitentiary-general gave him such a preponderance that he was regarded in the committee as a judge rather than as an advocate.⁷⁶ Ghinucci, however, openly supported the cause of the New-Christians. He had written and published a book in their favor.⁷⁷ Very likely this favor was not gratuitous; but it is certain that there was one thing about Ghinucci that warranted his poor opinion of the affairs of the Inquisition. The atrocities of that tribunal in Spain were related with horror, atrocities that years before had compelled Leo X to take, or to pretend to take, severe steps against them. The name of Lucero had been proverbial in Rome as the synonym of cruelty, and Ghinucci had been ambassador in Spain, when he had brought a kind of memorandum of the abuses practiced there by the Inquisition.⁷⁸ To keep the balance true, there remained Simonetta, the auditor, regarding whose probity and intelligence we have witnesses above suspicion.⁷⁹ The ambassadors were heard in various conferences, and the committee always ordered their allegations to be shown to Duarte da Paz, who continued to play his part to perfection. The Count of Cifuentes used all of his influence, as the envoy of Charles V, in favor of Dom João III⁸⁰ and the preponderance of

⁷⁵ " . . . the other cardinals even told him that he must have been handsomely bribed by Your Highness."—Letter of Dom Henrique de Meneses, March 17, 1535, *loc. cit.*

⁷⁶ "*Papa Paolo . . . meese . . .*"—"Pope Paul . . . entrusted the final settlement to two of his commissioners . . . and to me."—Letter of Santiquatro of March 14, 1535, *loc. cit.*

⁷⁷ "*Auditor Camerae est . . .*"—"The Auditor of the Chamber is viewed with the greatest suspicion in this case; not only because he was the advocate of the aforesaid converts; but also because he has written in their behalf and had his opinions printed."—Paper given to the ambassadors in Rome, etc., in Sousa, "Annals of Dom João III," pp. 459 *et seq.*

⁷⁸ "The acts of tyranny that are here believed regarding the Spanish Inquisition . . . that there are no Luceros there (in Portugal)."—Letter of Dom Henrique de Meneses already quoted. "The Inquisition of Spain that all the world is talking about."—Letter of Dom Martinho of March 14, 1535, *loc. cit.*; Llorente, *Histoire de l'Inquisition*, Vol. I, chap. 11, art. 5; letter of Santiquatro of March 14, already quoted.

⁷⁹ Besides what may be deduced in favor of Simonetta from the "Memorial of the New-Christians" in Vol. XXXI of the *Symmicta Lusitana* and from the characterization of him as a "good and learned man" by Dom Henrique de Meneses, in his letter of March 17, 1535, there are commendations of him in the correspondence of an ambassador still more able, Dom Pedro Mascarenhas.

⁸⁰ Letter of Dom Henrique de Meneses of November 5, 1534, "Corpo Chronologico," Part 1, M. 54, No. 5.

the minister of Spain disturbed the agents of the New-Christians so seriously that Duarte da Paz sent him a statement of the facts, and sought to move him, if not to take the part of the oppressed, at least to be less opposed to them.⁸¹ Furthermore, in the midst of the lively discussions which the complexity of the negotiations could not fail to arouse, the clever Jew, instead of referring vaguely, as he had done up to this time, to the privileges of the converts conceded by Dom Manuel and confirmed by his son, presented to the apostolic commissioners authentic copies of the respective documents, and in addition certificates of the testimony given in favor of these same converts by the bishop of Silves, Dom Fernando Coutinho, when he had been obliged to declare himself regarding the crimes of Judaism.⁸² The blow was decisive. Months before, knowing that these documents existed in Rome, Dom Henrique de Menezes had obtained a copy of them (perhaps through the archbishop from the hands of Duarte da Paz) and had sent it to Portugal. He doubted their genuineness, for the king had never spoken to him on the subject. But, though he asked for instructions on the subject, he had received no reply.⁸³ Thus Ghinucci and Simonetta imposed silence on the ambassadors, as well as on Santiquatro, by saying that if the privileges should turn out to be false, they were in every respect what the king wanted; but that, if they were not false, the court of Rome ought not to take upon itself the odium of annulling the effects of the clemency of the Portuguese princes, unless it was convinced that such a course would result in advantages for religion. The irony of the situation was evident. At first the pontifical commissioners agreed to modify the bull of pardon on some points, but they refused formally to agree that the establishment of the tribunal of faith should be revalidated. After many debates they finally yielded. In regard to the pardon, the chief modification adopted was to make a distinction between the Jews who had been forcibly converted by Dom Manuel and those who could not plead violence. The former were not to be regarded as backsliders, if they relapsed again after having been pardoned: the latter were to be so regarded. They agreed that from the enumeration made in the bull of April 7 of persons to whom its benefits were extended, the names of bishops, canons, etc., should be expunged, it being an affront to them to suppose that they were capable of becoming Jews, their former designations being replaced by general terms. As to the enforcement of the new bull, they agreed that it should be entrusted to an individual

⁸¹ Letter of the same dated November 6, *ibid.*, No. 8.

⁸² Letter of Dom Martinho of March 14, *loc. cit.* On the opinions of the bishop of Silves that Duarte da Paz referred to, see Vol. I, pp. 237 *et seq.*

⁸³ Letter of Dom Henrique de Menezes, already quoted; letter of Dom Martinho, already quoted.

designated by the king, and that the nuncio was to be its executive judge, but this was in case the bull of April 7 were not published, for, in that event, the latter was to be enforced. Regarding the Inquisition, they agreed that it should be maintained; but they insisted especially upon these two capital points: that there were to be no solitary imprisonments for a space of eight years, and that for twelve years the property of condemned persons should go to their legitimate Christian heirs. From these, and from other less important conditions, Simonetta and Ghinucci could not be dissuaded.⁸⁴ When the decision of the commissioners had been brought to the attention of the pope, the agents of Dom João III tried every means to improve their cause. They turned to the ambassador of Charles V, while Dom Henrique de Meneses, who expected help from Cardinals Travi and Cesarino, had to put up with frequent humiliations on their part with very small results. In the debates before Paul III, Simonetta, whose austere principles were known, gave strong expression to his indignation when he heard the Portuguese agents insist upon the idea that the diocesan prelates should be prevented from attending the trials of the Inquisition, even when they claimed the exercise of that inalienable right. By dint of negotiations and persistence, the most they accomplished was that the pope, having agreed to the re-establishment of the tribunal of faith, reduced the two periods, that of eight years during which the prisons were to be accessible, and that of twelve during which there would be no confiscations, to seven and ten years respectively. Regarding this last clause, the court of Rome reserved to itself, at the end of that term, the right of considering the legitimacy or convenience of such confiscations, a restriction proposed by the commissioners, and concerning which Paul III proved inflexible, in spite of the efforts of the ambassadors and of Cardinal Santiquatro.⁸⁵

While they were preparing the drafts of the new bulls, that were to be dispatched after they had been accepted by Dom João III, and of which copies were therefore sent to Portugal, Duarte da Paz and the protectors of the New-Christians redoubled their efforts to prevent the consequences which they foresaw. It had been officially declared, in reference to the bull of April 7, that it was to be understood that it was to be regarded as having already been published, if the nuncio had communicated it to the bishops, or had made public notification of it in any way, in which case the recent modifications would become of no effect.⁸⁶ The reader has

⁸⁴ The transcript of the final resolutions of the commissioners, Simonetta and Ghinucci, is in Drawer 2, M. 1, No. 25.

⁸⁵ Letter of Dom Henrique de Meneses, already quoted; letter of Dom Martinho, already quoted.

⁸⁶ *Ibid.* The copy of the draft of the new bull of pardon sent to Dom João III is in Drawer 2, M. 2, No. 6, in the National Archives. On the cover are two notes,

already seen that the matter turned out exactly in this way. Thus the wording of that draft might be regarded merely as a kind of satisfaction to the king rather than as a positive measure. What was becoming more serious was the re-establishment of the tribunal of faith, though with important restrictions, which were, however, far from being able to curb all the tyrannies of the inquisitors. If we can believe the testimony of the New-Christians, their efforts to diminish the dangers that threatened them were not altogether fruitless. Paul III promised to give them additional guarantees in the bull concerning the Inquisition. Such a guarantee would be the privilege of appealing to Rome, and that of prohibiting the inquisitors from putting questions to the defendants while under torture, regarding the crimes of other persons, an atrocious method frequently used to increase the number of their victims.⁸⁷

From the beginning of the negotiations, Dom Henrique de Meneses had foreseen that, in spite of the efforts of Cardinal Pucci and the support of the Count of Cifuentes, the results would not quite come up to what was hoped for. He therefore advised that concessions be made on both sides. In order to give in Rome a public expression of his displeasure toward Duarte da Paz, and in keeping with the advice that he himself had given him when he offered to act as a spy, Dom João III had directed the archbishop of Funchal to deprive him of the badge of the Order of Christ; but Dom Martinho did nothing about it, under what pretext we do not know. Dom Henrique thereupon received new instructions about the matter. He wanted to comply with them; but as it was necessary to this end to entice Duarte da Paz to the embassy, and, as the agent of the Hebrews had been forewarned, he was able to avoid the traps set for him

one in Latin, the other in Portuguese, bearing the stamp of the archbishop of Funchal and of Dom Henrique de Meneses, which contain substantially the same as the letters of the two ministers of March 14 and 17. The note in Portuguese is curious, for it shows the caution that it was necessary to use in dealing with the Roman curia: "This these auditors understand: *if this pardon is not already published there*. And we give notice that they mean by publication that the prelates have been notified of it: and it makes no difference in this matter whether it is published, or reported, or is a general notification. If Your Highness accepts it, tell the nuncio so, so that they may not stick for it here, and have everything that is done signed by the hand of the nuncio so that it shall be clear. The original document itself remains in our possession so that they can not deny it.—D. Henrique M.—D. M. de Portugal, Archbishop Primate of Funchal."

⁸⁷ "Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 37. In the correspondence of the ambassadors these two restrictions are not mentioned. However, in the *Memorial* the New-Christians, after referring to them as having been granted in an audience with the agents of the king, thus appeal to the testimony of the pope himself: "*Prout de dicta . . .*"—"Just as concerning the said will of his Holiness, his Holiness himself can bear indubitable testimony."

by the ambassador. In the midst of the opposition he met on all sides, the ambassador-extraordinary had difficulty in repressing an outburst of his bitter wrath against Duarte da Paz, and finding himself unable to avenge himself upon him, he wrote to Portugal, advising that the leaders of the converts, who were supplying money to the agents in Rome should be harassed and intimidated with the prospect of the fires of the Inquisition.⁸⁸ We do not know how far this advice was followed, but it is evident that, even if it was acted upon, the results were not highly advantageous.

When remitting the final resolutions of the pope, both the ambassadors and Santiquatro wrote to the king. They were uneasy at the thought of the displeasure with which he would receive the outcome of that mission; but it was necessary to have him clearly understand the state of affairs, and to show him that they, in the discharge of their functions, had omitted no efforts to have them succeed. The cardinal protector, in giving a brief outline of the phases through which the business had passed, blamed the inattention with which the Portuguese government had treated it from the beginning, attributing the insistence upon the general pardon and the restrictions laid upon future inquisitors exclusively to the impression produced in the curia by the privileges granted to the converts by Dom Manuel and by the present king. Besides this, he emphasized the necessity of indulgence in dealing with persons who had been compelled to receive baptism, and he consoled the king with regard to the restrictions imposed upon the Inquisition, especially that which concerned the term of the suspension of confiscations, by reminding him of the rapid flight of time.⁸⁹ The letter of the archbishop of Funchal was of a different kind, and was prepared with skill. He expressed himself as profoundly annoyed with the way the business had ended; but, at the same time, he was sure that it would be impossible to obtain new concessions. To convince the king of this, he represented Paul III as a man of indomitable character, and one tenacious of his convictions. Like Santiquatro he attributed the poor success of the undertaking chiefly to the privileges granted by Dom Manuel; but at the same time he gave him to understand that the ill-considered charges sent from Portugal, and the proposal that there were to be no confiscations for seven years, that seemed to be inspired by eagerness to despoil the New-Christians, had also contributed much to the less favorable outcome. He cast some suspicions upon the Spanish ambassador for admitting Duarte da Paz to his house, and giving him public audience, a man who daily had secret conferences with the attorney of the

⁸⁸ Letter of Dom Henrique de Meneses, of October 4, 1534; "Corpo Chronologico," Part 1, M. 53, No. 120; letter of the same of November 6, *ibid.*, M. 54, No. 6; letter of the same dated November 26, *ibid.*, No. 18.

⁸⁹ Letter of Santiquatro, of March 14, 1535, *loc. cit.*

converts. He enlarged upon the humiliations that he and Dom Henrique had had to put up with not only from persons connected with the court of Rome, but even from the agent of Charles V, and he insisted again upon the idea that it was a great mistake that this business had not been entrusted to him alone without being communicated to anyone else. He admitted, however, the many services performed by Dom Henrique de Meneses, praising his tireless activity, possibly because this letter might be seen by his colleague. He called the king's attention to three expedients that might be adopted. The first was to abandon the undertaking and to leave everything that had been done to be forgotten; and for this he thought many years would be required. The second, which revealed the shrewdness and immorality of the archbishop, was most curious. It consisted in the king's declaring that he had changed his mind; he was to write to Rome asking for an unconditional pardon for everybody and for everything, couched in half a dozen lines, it then being left for the prelates to inquire, if they chose, in conformity with the common law, about those who were derelicts in matters of faith; the pope was at the same time to be asked to admonish the bishops and to instruct their flocks and to be vigilant against heresies; and after that the king was to say that he did not want the Inquisition. The consequence would be to cause the prelates to do just what they had been doing up to that time, which was to be remiss in their duty; and all the more so because, being brothers of the monarch himself or his creatures, they would not dare to disobey him.⁹⁰ At the end of two years he could accuse them of the very thing he had ordered them to do and could then ask for the Inquisition which would be conceded him upon whatever conditions he might want. The third expedient was to imitate Henry VIII of England and refuse obedience to the pope, with this difference, that the English prince had acted so only through the impulse of his own passions, while the Portuguese prince would be doing it out of just motives. As for matters relating to the confiscations, perhaps through arrangements with Duarte da Paz, or possibly because he was himself interested in the doctrine of the inviolability of the royal word, the archbishop went further than was to have been expected from his dissimulation. In view of the solemn promises of his father, revalidated by himself, it was devoutly to be hoped that the king would desist absolutely from taking the property of condemned persons; for at Rome everybody was amazed that he should attempt to betray them. He protested that it was not for him to appraise such conduct, for these were

⁹⁰ "The bishops having jurisdiction will do as they have done hitherto, which was not to do what they should; and besides they are all your brothers or your creatures; they will not disregard Your Highness' orders."—Letter of Dom Martinho, of March 14, 1535, *loc. cit.*

the affairs of princes: "but the rest of us," he went on to say, "when we promise anything, force compliance in Your Highness' tribunals. If public and royal faith is not kept, what is there in this world that can be depended upon? In this way even privileges, pensions, and gifts might be annulled." Did Dom Martinho count on these phrases being read by the favorites and ministers who had been enriched and ennobled by the royal favor?

The way he ended the letter was no less striking. His brother, the count of Vimioso, had notified him that his secret machinations were already known in Portugal, and had told him of the inferences being drawn therefrom.⁹¹ He was therefore on the brink of an abyss from which only boldness could save him. He had written at once to the count, vindicating his innocence. In this letter, he assumed an indignation that reached the point of insulting the person of the sovereign. "I know of nothing more infamous," said he, "that a prince can do than to know that such things are said of one of his ministers without punishing either him or those who invent them." Having given these explanations, he added that, if he did not receive proper satisfaction, "he was determined to do that which would show the world he knew how to act in accordance with what was due to himself." In his character as archbishop, Dom Martinho had too far forgotten in Rome the teachings of the gospel; for the haughty prelate remarked that "only those who deserve them overlook affronts and reproaches." He attributed to Dom Henrique de Meneses the accusations made against him in Portugal. "My colleague," Dom Martinho concluded, "is exceedingly suspicious. For that reason I can not talk to the pope or to anyone else unless he is present. The shame of this I will not endure, not even to be the pope, once this business is done. One of us will have to leave the office."⁹² With some boldness he now wrote to Dom João III, resenting the suspicions of disloyalty. He complained of the plottings of the court and of the lack of attention to his particular affairs, but consoling himself with the hope that some day, recognizing his innocence, the king would do him justice, and he referred to evidences he had previously given of his loyalty. In order to make believe that he was the victim of his enemies, he became somewhat insolent. "I should not mind," he said, "if Your Highness ordered me, or any other ambassador who might fail in his duty, to be burned alive, if only the same thing were done to accusers who cannot prove their charges. It was whispered about in Lisbon

⁹¹ This information seems to have been given to the archbishop by the count of Vimioso from the letter of Dom Henrique de Meneses of November 1, 1535, in Drawer 10, M. 7, No. 23, in the National Archives.

⁹² Fragment of the letter of Dom Martinho to the Count of Vimioso February 15, 1535, in the "Corpo Chronologico," Part 1, M. 54, No. 77.

that I had received money from the Jews on whom I had to pass sentence.⁹³ The same thing is said even of Your Highness. They are now accusing me afresh; they also accuse Your Highness of having in view nothing but to take away their property. And is such a falsehood to be believed?" This insolent language sheds light on earlier events. It is clear that the voice of the public had branded the monarch with the stigma of corruption. It was probably mere calumny; for we consider Dom João III a sincere fanatic, and therefore incapable of allowing himself to be corrupted to the detriment of his extravagant ideas. But, as one cannot plausibly explain the abandonment of the business of the Inquisition at its most critical juncture except through the powerful influence of the gold of the New-Christians, we think that these popular reports were not entirely unfounded, and it is quite possible that the corruption of his ministers had been attributed to the king. But the other suspicions were better grounded. It is highly probable that Dom João III, actuated by hatred of a part of his subjects, thought at times of the revenue his treasury would get by their extermination, and that with his fanaticism there was associated in his mind a not incompatible covetousness.

The letter of Dom Henrique de Meneses, in which he gave his own account to the king of the ill success of his mission, was of a different character from that of his colleague. The grief and regret it betrays are evidently sincere. The style of it shows a certain rudeness of thought and phrase natural to an irritable and impetuous spirit, but one at the same time frank and loyal. He described the insuperable obstacles he had encountered, and set forth briefly the concessions he had been able to obtain. He complained bitterly of not having been given instructions regarding the privileges of the New-Christians. He insisted upon what he had already more than once asked for, permission to leave Rome, for he was tired of disrespect and humiliations. "Use me somewhere else and in other things in which I may be of service. It is my desire to serve you, heart and soul; but I beg Your Highness not to keep me here a day longer or I shall consider it a grievance and shall die of rage." He was furious at the attention shown Duarte da Paz in the Roman curia, and, in his pride as a nobleman, he saw a mortal offense in their having given him such a man as a competitor and at their permitting him to intervene in a question between princes. "But these folks," added Dom Henrique, referring to the cardinals, "are not princes, they are nobodies. They are traders and peddlers, not worth three black reals⁹⁴; men without education, who are moved

⁹³ He probably alluded to the time when he was legate *à latere*. See Vol. I, pp. 216 *et seq.*

⁹⁴ A black real was a small copper coin then in use.

only by fear or by temporal interest; spiritual things they are not interested in." In harmony with the idea he had conceived of the pontifical court were his indications of the expedients that Dom João III must adopt, in which he partly agreed with the archbishop, but without advising the system of perfidy that his colleague proposed. In his opinion the king had to choose between two alternatives: he must either refuse outright to obey the pope as England had done,⁹⁵ or he must accept the Inquisition in the form they had conceded it, the new tribunal afterward comporting itself with justice and moderation; for, as soon as it was seen that there were no Luceros in Portugal, and that the inquisitors were acting honestly, in a little while all they wanted would be obtained. He ended with the renewed request to be permitted to return to Portugal as soon as possible.⁹⁶

When the minutes of the last resolutions, accompanied by these letters, had been sent to Dom João III, Paul III also sent him a brief in which he communicated to him officially through the nuncio a copy of these same resolutions. In this brief, which was drawn up by Santiquatro and approved by the pope,⁹⁷ a summary reference is made to the former debates, and the observation is made that, however great the desire of the pope to satisfy the king, yet in dealing with the property and lives of so many persons, it was the will of God that he should incline to pity rather than to severity; that, although the conventions and agreements between the converts and Dom Manuel might be considered in some respects contrary to canon law, inasmuch as their revocation would amount to a violation of the royal promise, which should above all other things be sacred, the Holy See would prefer to respect it, and to maintain it, rather than to agree absolutely with the desires of the king, whom it admonished to be content with the modifications proposed, the only ones compatible with the dignity of the Portuguese crown and with the honor of the apostolic see.⁹⁸

In Rome, as we have said, they were not ignorant of the fact that the bull of April 7 had been announced to the prelates, and there was accordingly a correct appreciation of the value of the changes made in the rough draft of the one that was to take its place, if, indeed, it were not already published. It was an opportunity for a bit of double-dealing and the Roman curia turned it to account. By the same mail, and possibly along with the copy of the draft sent to the nuncio, a letter was written to the

⁹⁵ "To disobey the pope entirely, like England."—Letter of Dom Henrique de Meneses, March 17, 1535, *loc. cit.*

⁹⁶ *Ibid.*

⁹⁷ In the copy of the brief *Inter caetera*, inserted in the *Symmicta Lusitana*, Vol. XXXI, folios 452 *v. et seq.*, is appended a note of the cardinal to Blosio, the referendary, from which this is clear.

⁹⁸ Brief *Inter caetera* of March 17, 1535, M. 25 of Bulls, No. 30, and Drawer 2, M. 2, No. 13, in the National Archives.

latter notifying him that the pope, under the influence of the report of the commissioners who had examined the question, had declined to favor the claims of the agents of Portugal, and he therefore ordered him to put into operation the bull of April 7, regarding as annulled the brief by which its effects had been suspended.⁹⁹ But, as we have just seen, the commissioners, and the pope still more so, had accepted important modifications of that bull, and though the effects of these modifications might not amount to anything, the result attributed to the negotiation, on which the provisions of the brief to the nuncio were based, was taken for granted.¹⁰⁰ The stories of the New-Christians explain to us this garbling of the facts and the mutual negation of the two diplomas that were dispatched, both of them with the date of March 17. After the minutes had been drafted and delivered to the ambassadors information reached Rome that warranted the pontiff in revoking all the concessions made to the agents of Portugal. The impatience of fanaticism had furnished new reasons for the Roman curia's favoring the converts and opposing the wishes of Dom João III. The bishop of Sinigaglia sent authentic documents to show that he had notified the prelates of the bull of pardon, and at the same time he described what had happened in Portugal from the time the first steps were taken by Paul III upon his accession to the pontificate. Besides having opposed the publication of the bull of April 7, the Portuguese government, far from obeying the brief of November 26 by setting free the persons in the prisons of the Inquisition, had lately proceeded to make new arrests.¹⁰¹ Irritated by this disobedience, the pope at once sent new instructions to the nuncio. He was to demand of the king a categorical statement of the acceptance or non-acceptance of the inviolable conditions under which he had consented to concede the Inquisition in the minutes furnished to the ambassadors. Being informed likewise of the injustice and the legal nullity of the law of June 14, 1532, in which the New-Christians had been forbidden to leave the kingdom, he ordered the bishop of Sinigaglia to insist upon the revocation of that law, or, at least, that it should not be renewed at the end of the period for which it was to be in force. With these instructions to the nuncio were sent two briefs, one

⁹⁹ Brief *Dudum postquam*, of March 17, 1535; authentic copy in M. 14 of Bulls, No. 3.

¹⁰⁰ "*Cum . . . viri praedicti . . .*"—"Whereas . . . the aforesaid men . . . have returned to us the letter of absolution of this sort, granted as is said above, through our said predecessor, to be duly carried out, we, wishing it to be carried out absolutely, commit it herewith to your fraternity, and instruct you to proceed to the execution of the said letter of absolution in all cases and by all means according to the tenor of that letter, precisely as though we had not suspended its execution by the said letter"—*Ibid.*

¹⁰¹ "Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 38 v.

addressed to the king, the other to Cardinal-Infante Dom Affonso, in which the pope signified to them his lively displeasure with the acts committed in contravention of the decisions of the Holy See.¹⁰² Thus the New-Christians succeeded in counteracting to a certain extent the moral effect of the few concessions that the agents of Portugal had obtained at so great a cost.

In fact, if the outcome of the negotiations caused Dom João III lively dissatisfaction, these complaints on the part of the pope, and the brief in which he ordered the complete and immediate enforcement of the bull of April 7, when at the same time modifications of it were proposed, must inevitably have raised his wrath to the highest pitch. In view of the overbearing character of Paul III, any manifestation of irritation on the part of the court of Portugal would bring about still greater embarrassments to its purposes, and if the date of definite agreement were thus retarded, the converts would gain time to improve their position in the struggle. They did not overlook this fact. Probably on account of insinuations on the part of Duarte da Paz, who was so well acquainted with the habits and ideas of the Roman curia, about the end of April the chiefs of the Hebrew race in Portugal, in concert with the nuncio, Sinigaglia,¹⁰³ drew up a peculiar document. It was an obligation in which they promised to give the pope thirty thousand ducats if he would agree to the proposals annexed to the contract. This sum, however, would be diminished in certain hypothetical cases.¹⁰⁴ The principal conditions were that the tribunal of faith, as an independent institution, should be absolutely suppressed, and the cognizance of offenses of Judaism should remain in charge of the bishops; that there be decreed for such offenses the ordinary course for civil crimes; that suit should not be brought beyond twenty days after the committal of a crime; that there should be no confiscations; that defendants should be empowered to report the judges as suspects; that they should be allowed to choose whom they pleased for advocates or attorneys; that the substance of the accusation should be communicated to them; that witnesses should not be previously instructed in regard to the acts that might be regarded as heretical or otherwise, but should be

¹⁰² *Ibid.*, folio 39.

¹⁰³ The nuncio himself confessed it in a letter dated March 1, 1536, which is in the *Symmicta Lusitana*, Vol. II, folio 232, which we shall cite later, "*fairiano quanto 'se erano per scritto meco obligato'*,"—"they would do all they had agreed with me in writing to do."

¹⁰⁴ The articles and the obligation signed by the two chiefs of the Hebrew people, Thomé Serrão and Manuel Mendes, are in the transcripts of the Vatican codex, No. 966, in the *Symmicta Lusitana*, Vol. XXIX, folio 67, and Vol. XLVI, folio 449.

required purely and simply to make an exact statement of what they had seen or heard; that the testimony of slaves and of disreputable persons should not be admitted, nor should that of codefendants, or of persons charged with crimes or already under sentence for the same crime; that the names of accusers should be published; that there should be appeal to Rome from final sentences, or from those that had the force of final sentences; that suits against dead persons should not be undertaken; that liberty for converts to leave the kingdom with all their property should be established as a common right. In case the pope did not wish to refuse the Inquisition altogether, but put off the question of its establishment to be discussed in the coming council (the convocation of which was being debated at that time) or in the tribunal of the Rôta, they would give him ten thousand *escudos* down, and twenty thousand later on, in case of a conciliar resolution in conformity with the conditions proposed. But in case the contrary course were resolved upon in the council, they would give ten thousand *escudos* additional, on the pope's ordering the drawing up of a bull with the limitations they proposed. Finally, if Paul III himself wished to concede the Inquisition with the conditions relating to the form of procedure, the culprits being exempt from confiscations for twelve years, and after this, depending on the pontifical approval, a gift of fifteen thousand *escudos* would be the proof of the gratitude of the converts.¹⁰⁵

While these shameful contracts were being made, the latest communications arriving from Rome were producing in Portugal the effects that were to have been expected. If, on the one hand, the nuncio, in virtue of the brief of November 3, 1534, had given notice to the diocesan prelates, as we have seen, to suspend all procedure relating to the bull of April 7, on the other hand, when he gave the notice, he had already given all possible publicity to the fact that that document should be carried out in conformity with the wishes of the dying Clement VII. He now added the wide meaning given to the fact that the pardon was already published, a fact which, in the opinion of the curia, should be recognized if the existence of the bull had been brought to the knowledge of the bishops having jurisdiction. Considering the antagonism that had grown up between the king and the bishop of Sinigaglia, these circumstances, which to a certain point were contradictory, lent themselves to a thousand diplomatic subtleties, by means of which the government was able for some time to continue the oppression of the Hebrew race by putting off compliance with the bull of pardon from day to day. In fact the Portuguese government seems to have obstructed the efforts of the nuncio to comply with the last instruc-

¹⁰⁵ *Symmicta Lusitana*, loc. cit.

tions he had received, justifying itself principally by the intimations made to the diocesan prelates in consequence of the brief of November 3.¹⁰⁶

In the delays necessarily caused by the contentions with the bishop of Sinigaglia, Dom João III had a careful examination made of the definitive proposals of the court of Rome. The persons selected for this grave commission were confronted with various alternatives: Should the Inquisition be accepted with the modifications lately imposed, or would it perhaps be preferable provisionally to leave the prosecution of crimes against religion to the bishops having jurisdiction, in the meanwhile continuing the negotiations with the pope more energetically, and to what extent would it be wise to carry severity? Supposing the proposals of the curia were not accepted, or the episcopal authorities proved to be lax, had the civil power the duty or the right to take their place in this matter? And, finally, in case of the rejection of all these alternatives, should the New-Christians be expelled from the kingdom, or only those who, by the use of money, interfered with the establishment of the Inquisition, the Inquisition being necessary to maintain religion unimpaired among the Old-Christians?¹⁰⁷ These consultations show that the supporters of intolerance, though they showed external signs of energy, were staggered by the obstacles placed in their way by the perseverance of the Hebrew race in the defense of their lives, their property, and their liberty. It was agreed that the king should invite the more influential persons among the converts to propose to him the conditions under which the Inquisition could be requested, so that they would cease opposition in Rome.¹⁰⁸ In view of their presentation of the case to him, he promised them to send an order to the ambassadors to admit into the bull three of the most important conditions they had laid down in their terms, and which, to a certain point, conformed to those which the pope had laid stress upon in the minutes sent to the king. They were those providing that confiscation should be suspended for ten years; that within the same period the names of accusers and adverse witnesses should be communicated to defendants, when these defendants were not powerful persons; and, finally, that during those ten

¹⁰⁶ That it was on these intimations that the government opposition depended is known from the letter of Dom Martinho of September 13, 1535, *ibid.*—"The copy of the decree of the nuncio (it is found in the 'Corpo Chronologico,' Part 1, M. 54, No. 2), in which he notified the prelates not to publish the bull of pardon, has not reached here: *it is necessary that it should come*; and signed by the nuncio, otherwise it will not be credited here, and he, being what he is, will deny it." The same conclusion is derived from the document in Drawer 2, M. 1, No. 29, of the National Archives, which we shall use farther on.

¹⁰⁷ "It seems that they impede the Inquisition with their money."—Appointments in Drawer 2, M. 1, No. 36, in the National Archives.

¹⁰⁸ *Ibid.*

years there should be granted to persons on trial, if they confessed themselves guilty of all the crimes charged against them, the right of asking for reconciliation, even after being condemned, thus avoiding the horrible punishment of the stake. Such concessions being made, there would be no reason for the converts to leave Portugal.¹⁰⁹

But, if the moral effect produced by the communications from Rome had at first caused them to think of resorting to the promises of indulgence in order to prevent an emigration that would be fatal to the country, it was not long before the step was repented of. There was a more effective way, and one more in keeping with the intolerant politics of that epoch, for retaining the Hebrews. It was the renewal for a new period of three years of the law of June 14, 1532. This alternative was adopted.¹¹⁰ That law was one of the acts of tyranny that had made the greatest impression in the Roman curia, and had rendered the intentions of the king the more suspicious. The earnestness with which it sought to prevent the departure of the converts, and especially the removal of their property, seemed to justify the accusations of unbridled covetousness which so many persons thought they discovered beneath an excess of religious zeal. Inasmuch as the abrogation of this law was one of the points upon which the Roman court had most earnestly insisted, the revalidation of it was a challenge to the pontiff. Marco della Rovere, whose hostility to Dom João III, though veiled under courteous formalities, was becoming more and more violent, and who did not cease to depict at Rome in somber colors what was going on in Portugal,¹¹¹ must have used this offensive fact with skill to embitter the mind of Paul III. So the pontificate was not long in replying to the law of June 14 with a brief, the provisions of which indirectly annulled it and contradicted its fundamental principles. In this brief the accusations of Judaism brought against the converts were treated as inventions of their enemies,¹¹² who, besides having the accused persons tried, persecuted their parents, their children, and their kin, and even their advocates, charging them with being the abettors of heretics, which meant, according to the canon, that they participated in the crime, and were subject to the same penalties. The pope met this abuse by authorizing all persons, without distinction of class or church relations, to defend and

¹⁰⁹ Appointments, *loc. cit.*

¹¹⁰ Law of June 14, 1535, in Duarte Nunes de Leão, *Leis Extravagantes* (1566), folio 292; Figueiredo, *Synopse Chronologica*, 355.

¹¹¹ "Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 39, *et seq.*

¹¹² "*cum . . . tanquam . . .*"—"Although they have lived as Christians, nevertheless some persons who are envious of them accuse some of them of Judaizing, or denounce them, or otherwise molest them."—Brief *Cum sicut*, July 20, 1535, in the *Symmicta Lusitana*, Vol. XXXI, folio 455 v., and Vol. XXXII, folio 114, and in the Collection of the Bulls of the Holy Office, folio 37.

advocate the causes of defendants charged with Judaism in all tribunals and jurisdictions, not only within the kingdom, but also in the Roman curia, where they might have to go in following up appeals, without anyone being allowed under penalty of excommunication, under any pretext whatever, to charge them with complicity or to prevent them from leaving Portugal.¹¹³ Thus, if the brief were enforced, it would be easy for any convert to discharge the functions of attorney or advocate for any prisoner, and even to go out of the kingdom for that purpose. To what extent spite, or the obligation signed by Thomé Serrão and Manuel Mendes, the chiefs of the Hebrews, had influenced the sending out of this document we are unable to say. But there is no doubt that the privilege of defendants to appoint whom they pleased as their advocates or attorneys, and the right to leave the kingdom whenever they pleased, figured, as we have seen, among the principal conditions of the proposed contract.

In virtue of the instructions he had received, the bishop of Sinigaglia, while he exerted himself to have the dispositions of the bull of April 7 complied with, and published the provisions lately made by the pontiff, had demanded a categorical decision regarding the acceptance or non-acceptance of the bases offered for the new bull dealing with the Inquisition. To his solicitations, however, both before and after the prorogation of the law of June 14, no reply whatever was given.¹¹⁴ Finally the alternative of trying diplomatic efforts again was adopted in spite of the disheartening remark made, not only by Dom Martinho, on whom but little reliance could be placed, but also by Dom Henrique and Cardinal Pucci, to the effect that all further attempts would be useless. The ambassadors were written to and were ordered to demand again of Paul III the removal of Marco della Rovere, whose residence in Portugal was useless to the apostolic see and injurious to the country on account of the disturbances he excited, and they were told that, if the pope did not promptly accede to that just request, they should present the articles of accusation against his representative which were sent them, and in which the disorderly behavior of which he had been guilty was set forth. They were urged by all means in their power to obtain favorable action promptly, and to send by express the orders for the removal of the nuncio.¹¹⁵ Rejecting the outlines of the new bulls of pardon and of the Inquisition, the Portuguese government supplied its agents with specious pretexts for prolonging the debates indefinitely. Inasmuch as it was stated in the outline drafts that the Portuguese Hebrews had asked for the pardon, a beginning was made

¹¹³ *Ibid.*

¹¹⁴ "Memoriale," *loc. cit.*

¹¹⁵ Outlines of the letter to Dom Martinho are in Drawer 2, M. 2, No. 21. The parts against Sinigaglia are in Drawer 13, M. 8, No. 12, in the National Archives.

by denying that they wished it or had asked for it, and that they had given a power of attorney to Duarte da Paz in order to obtain it, it being agreed that if any persons had entrusted him with it, they should be granted absolution, each one of them individually confessing his errors. Here the instructions evidently referred to the chiefs of the Jewish people, who were entrusted with the negotiations at Rome, and whom Dom João III himself had recognized as the agents and representatives of the other converts, by ordering that they be heard as such in the question under consideration. This was the very climax of impudence; but they did not stop at that. Not being able to deny the authenticity of the privileges granted by Dom Manuel, these abettors of intolerance pretended that these ample guarantees, which they called *certain favors*, though they might have been plausible in the early days of conversion, had lapsed with the years, because the converts had sinned afterward, not through ignorance, but out of pure malice. It was insisted upon at great length that the pardon should not have been published, and that its enforcement should never have been entrusted to the nuncio. Opposition was raised to the substitution made in the draft sent by the ambassadors, on account of its being more favorable to the converts than the bull of April 7, there being now conceded to the defendants, without excepting those condemned as backsliders, a larger number of guarantees, while the road to a more ample intervention in the causes of Judaism was opened to the prelates. It was observed that, so far as the suspects were concerned, the draft went far beyond the concessions of Clement VII, and that, for the reconciled, penances imposed upon them were to be commuted to secret pious works. Finally the king understood that, rather than grant the pardon in that form, it would be better to revoke it, as Clement VII had proposed, and, even though the Inquisition were done away with, cases involving matters of faith should be left to the bishops, in accordance with the common law. Preference was given to the absolute suppression of the new tribunal, not only because the pardon, conceded in the manner proposed, almost annulled it, but also because the ordinary process for civil crimes having been established for seven years for religious criminals, and along with it a large number of appeals and references and orders being given for the publication of the names of informers and witnesses, the impunity of the delinquents was in this way secured. Such were the essential points which Dom João III submitted to the consideration of the pope.¹¹⁶ In sending these instructions to the ambassadors, Dom Martinho was especially directed that, while insisting in every way upon the substance of them, he should yet assure the pope of the obedience of the king in case he did not yield, but that the responsibility for any consequences that might arise therefrom would rest

¹¹⁶ Instructions to the ambassadors in Rome in Drawer 2, M. 1, No. 29.

upon the Roman curia. They were also told that, in case anything favorable came of it, the necessary dispatches should be sent to Portugal; but that they should seek to prolong the negotiations for three months longer, with such dissimulation that no mistrust should be aroused. This order, which they were directed to keep profoundly secret, was not even to be known to Santiquatro, who was also written to on this subject. To the insistent requests of Dom Henrique to be permitted to leave Rome, the king replied with the promise that at the end of three months, time enough to obtain from the pope a final decision, his mission would be considered at an end, and he would be at liberty to return to his own country.¹¹⁷

If, on the one hand, the king of Portugal, desiring as we have seen, to resist by all means the realization of the hopes of pardon for the past and of guarantees for the future, that his Hebrew subjects had conceived, pretended to have decided to obey at last the clearly expressed will of the pope, the Roman curia, on the other hand, determined, in so far as possible, to satisfy the demands attached to the simoniacal contract that the converts had offered through their chiefs, and, as it seems, did not cease to act in such a way as to appear to wish to come to an agreement with the court of Portugal. There are evidences of a letter of Paul III, probably addressed about this time to the bishop of Sinigaglia, in which the pontiff reduced to simple terms the ultimate conditions he proposed for a final compromise. The first one was the cessation of confiscations and the trial of crimes for heresy like those for homicide and the like. In case this were not accepted, he proposed to grant the Inquisition in the form which the king desired, but giving defendants the right to appeal to the nuncio. If these two alternatives, which the pope communicated to the ambassadors and which had been rejected by them, should also be rejected by the king, a third solution was offered which the ambassadors declared would be accepted by the court. It amounted to the concession of a general and absolute pardon of all converts, whether at large or prisoners, giving them the term of one year in which to leave the kingdom, the Inquisition being then established on whatever terms were desired. The pope declared that he would leave to the king the option between these three courses, but that he must necessarily accept one of them.¹¹⁸

Up to a certain point, these proposals were in accord with the advice of a Portugese living in Rome, attached to the Farnese family, and who, it seems, had relations and influence with the ministers of Dom João III and with the leaders of the Hebrew race alike. Possibly it was Diogo

¹¹⁷ Draft of the letter to Dom Martinho, in Drawer 2, M. 2, No. 22, and also of the letter to Dom Henrique, *ibid.*, No. 38.

¹¹⁸ Extracts, for the king to see, of letters of the pope, written in August, the year not being mentioned, in Drawer 2, M. 1, No. 25. Judging from the contents of these extracts they can be attributed only to 1535.

Rodrigues Pinto, whose presence at the debates upon the Inquisition was so offensive to Dom Henrique de Meneses in his first conference with Paul III.¹¹⁹ But whoever he may have been, it is certain that this individual had advised the pope to take this step, promising him a happy outcome for it. When heard on this subject, he had suggested the dispatch of the last briefs sent to Portugal for the enforcement of the bull of April 7, and that the free action of advocates and attorneys of the defendants of Judaism be respected and upheld. In his opinion, the downright refusal to concede the tribunal of faith was not possible without a breach of honor on the part of the apostolic see, but it was essential to bear in mind the circumstances that made it necessary to prevent the Inquisition from being turned into an instrument of the most brutal tyranny. These circumstances were not only the violence of the original conversion, but also the consequences arising therefrom, such as the declaration that all of the persecuted converts were Jews compelled to be baptized (for according to canonical doctrines, the Inquisition could have nothing to do with them in that case), and their right to leave the kingdom in order to live elsewhere as followers of the law of Moses. This was equivalent to obliging them to flee, abandoning forever the Christian religion, as many would already have done, had it not been for the requests and promises of the bishop of Sinigaglia. He felt that it was well also that note should be taken of the tendency of the Portuguese to perjury, a fact shown in the very legislation of the country, of the fact that Clement VII had revoked the Inquisition after he had granted it, of the recommendations left by him to his successor to protect this miserable people, of the gifts made by the converts to the Holy See,¹²⁰ and, finally, of the deplorable state of oppression in which the Portuguese Jews were living—all reasons for devising promptly and prudently some means for reconciling the promises made to the king with the justice due to the victims. Among these means it was pointed out that the chief one was the nonacceptance of the proposal that the bishop of Lamego should be inquisitor-general in place of Friar Diogo da Silva, a kind and virtuous man, rich and without children, which was by no means the case with the bishop.¹²¹ If the tribunal were

¹¹⁹ See page 165 above. The document we are about to quote was evidently drawn up by a convert who had a wife and children in Rome, and who therefore could not have been Duarte da Paz, whose family remained in Portugal, as we gather from earlier documents.

¹²⁰ "*Et attento 'il servizio' che ha fatto alla sedia apostolica.*"—"and considering the service it has rendered to the apostolic see."—"Anonymi Portugallensis, Instruzione," etc., Codice Vaticana, 6792, in the *Symmicta Lusitana*, Vol. II, folio 278.

¹²¹ "*Nostro signore . . .*"—"Our lord could not justify himself before God if he deprived a good and perfect man, a rich and childless monk, of the post of inquisitor, and put a worse man in his place."—"Anonymi Portugallensis Instruzione," etc., *loc. cit.*

organized in accordance with the conclusions reached by Simonetta and Ghinucci after their discussions with the ambassadors; if the system of procedure adopted in dealing with offenses against the faith were the same as that used in the secular courts for crimes of murder, not with a time limit, but in perpetuity; and if the New-Christians were to be guaranteed the liberty of leaving the kingdom, he bound himself to guarantee that they would be satisfied, and would give the full sum offered in the contract proposed by their leaders under more onerous conditions than these,¹²² he obliging himself, at the same time, to see that the king would accept these terms, or at least that he would not resist the determination of the pontiff. He gave further assurance that, if these concessions were made, the Portuguese Hebrews would agree not to emigrate to Turkey in order to practice there the Jewish religion. If the nuncio were encouraged with such evidences of kindness and with the display of activity and good intentions, the author of these expedients thought it not impossible that the converts might be induced to give a larger present than the one previously promised.¹²³

With such an outlook, it is not surprising that the New-Christians had gained decided advantages; but there were still other circumstances that helped to secure their triumph. The nonacceptance of the proposals of Rome by the court of Portugal, although indirect, was clear and indubitable. An official reply was refused, and that refusal was carefully kept from the knowledge of Sinigaglia, but we see that fresh instructions were sent the ambassadors to renew a diplomatic contest that was already ended and debated *ad nauseam*. On the other hand, the irritation of fanaticism and hypocrisy was manifested in outbursts of wrath that were thundered even from the pulpit, and with the approval of the cardinal-infante, Dom Affonso. In these sermons not even the apostolic see was respected; and the communications of the nuncio, in which possibly these bold protests of intolerance were exaggerated, still further embittered the indignation of the pope at the apparent contempt of the Portuguese court for him, and covered the corruption and simony of the curia with the mantle of offended dignity.¹²⁴ As a climax for these embarrassments,

¹²² "*Et facia tutto . . .*"—"And he rendered all that *service*, which he was willing to render in return for all that he asked."—*Ibid.*

¹²³ "*Et forse fare più grande 'servizio' . . .*"—"And perhaps I shall render a still greater *service*."—*Ibid.*

¹²⁴ "So indignant is the pope with him and with your kingdom, and this I understand is on account of the preaching of Master Affonso . . . the nuncio, who was always blowing these bellows as much as possible . . . the cardinal, your brother, whom they also blame for the preaching of Master Affonso."—Letter of Dom Henrique de Meneses to the king, November 1, 1535, in Drawer 20, M. 7, No. 23, in the National Archives.

when the new instructions of the ambassadors arrived at Rome early in September, the pope had gone to Perugia, whither he was called by political affairs, and whence he was not to return until October. Thus the delay of three months in coming to a final conclusion, a delay recommended from Lisbon, would be longer still, for a month would have to elapse before the new debates could be arranged for. But what object was there in such a recommendation? The king had not confided his secret from Dom Martinho. Probably because, as subsequent events show, the idea was to save an almost desperate situation by bringing into it as a deciding factor the irresistible influence of Charles V. The latter was just then in Sicily, where he had arrived after the conquest of Tunis, in which the infante, Dom Luiz, brother of Dom João III, had distinguished himself. From Sicily he would go to Naples, and thence to Rome, in order to settle with Paul III the grave religious and political matters that were then agitating Europe.¹²⁵ Instructions were given to Alvaro Mendez de Vasconcellos, who accompanied the emperor as representative of the Portuguese court.¹²⁶ The services that the fleet of Portugal had rendered in the African undertaking, and the close friendship that Charles V had formed with the infante, Dom Luiz, were, in addition to the urgent requests of Dom João III, powerful motives for inducing the emperor to enter seriously into this question. The facts had shown that, without the intervention of the Spanish monarch, there was no certain way to win the contest, and they had proved how right Dom Henrique de Menezes was when, at the beginning of his embassy, he had urged the efficacy of that means which his astute colleague pretended to regard as inconvenient.

But while the new field for the struggle was being prepared, the affair moved more and more rapidly in the direction it had already taken. It was in the early part of September that the archbishop of Funchal and Dom Henrique de Menezes received their last instructions, of which we have already spoken. It was high time. Simonetta, raised to the cardinalate, was governing Rome in the absence of the pope, and was so convinced of the justice of the final papal decision that he declared the pope deserved to be canonized for it.¹²⁷ There was nothing, therefore, to be hoped from Cardinal Simonetta, a man of strict principles, who had debated at length the matter of the New-Christians, and both the ambassadors were agreed that Paul III was entirely opposed to the plans of

¹²⁵ Pallavicino, *Istoria del Concilio di Trento*, Book III, chap. 19—Letter of Dom Martinho of September 13, 1535, in Drawer 2, M. 2, No. 50.

¹²⁶ This is inferred from the letter of Alvaro Mendez de December 27, 1536 (or rather 1535 for the year then began to count from Christmas day) in Drawer 2, M. 5, No. 53.—Letter of Dom Martinho, September 13, 1535, *loc. cit.*

¹²⁷ "And he believes that for what he has done in this he should be canonized.—Letter of Dom Martinho, already cited.

the king. Dom Henrique especially painted in somber colors the irritation of the pontiff and the malevolence of Simonetta and of Ghinucci, who was also now a cardinal, toward everything relating to the Portuguese government.¹²⁸ Dom Martinho, however, exhibited at this juncture his native shrewdness. Whether it was because his brother had notified him that the idea of turning to Charles V was prevalent in the court, or whether it was because his own special conveniences induced him to oppose the complete triumph of the Hebrews, it is certain that, forgetting his former objections, he pointed to the intervention of the emperor as the one heroic remedy for the seriousness of the evil, indicating the combination of political circumstances which made it probable that such intervention would have good effects. He insisted, however, that it would be wise to accept the Inquisition with whatever modifications might be imposed, and patiently to await further concessions. Finally, he advised that the hardest obstacle they had to contend with in Rome, Duarte da Paz, should be removed. The prelate requested that the king should try to draw him over to his side in one way or another, pardoning his past offenses, or should have him assassinated; for he had known how to obtain the favor not only of the curia, but also of all the influential people of Rome. He remarked that, of course, during these discussions regarding the Inquisition, in which the pope always ordered that he be heard, the Portuguese agents might pick a quarrel with him and kill him; but that such an act would never be committed save by order of the king, to whose damage the crime would redound, besides the dishonor, remorse, and risks that must come from it. The removal of Duarte da Paz, however it might be done, would be, in the opinion of the archbishop, the chief means of spreading terror and dismay in the ranks of the enemy.¹²⁹ By advising the assassination of a man with whom he had close though secret relations, the archbishop probably believed he would turn away from himself suspicions of criminal relations with the New-Christians, and by showing himself convinced of the necessity of appealing to the powerful protection of the emperor of Germany, not only would he flatter the plans of the court, but he would also show for the definite establishment of the Inqui-

¹²⁸ Like Dom Martinho, Dom Henrique wrote September 13, 1535, to the king. This letter we cannot find; but it is referred to and a summary of it given in another letter of Dom Henrique dated November 1 of the same year, which is in Drawer 20, M. 7, No. 23.

¹²⁹ "Either Your Highness order him (Duarte da Paz) thrown into the Tiber, or have him come under some pretense and pardon him . . ." "What is to be done? Reply to him? We shall dispute: and if he says a discourteous word, kill him. This no one will do unless Your Highness orders it; for the loss, dishonor, remorse, and risk will be yours. To cut across it all will bear much fruit, and even the New-Christians will despair."—Letter of Dom Martinho, already quoted.

sition a zeal which he did not have. On the other hand, when the pope returned to Rome in the early part of October, the archbishop persuaded his colleague that it would not do, for the time being, to carry out the last instructions sent from Portugal, which, as Cardinal Santiquatro afterward stated, contained concessions and propositions that would make it possible for the pope to come to a favorable agreement.¹³⁰ Possibly he was thinking that the three months' delay that he had been secretly recommended to interpose before bringing the business to an end, on the supposition that the pope should accede to the new requests, might serve him as an excuse for the delay, while in reality he was obstructing the cause in which he was officially engaged. The more Santiquatro secured the prompt acquiescence of Paul III to the new instructions, the better could he defend himself afterward for having delayed the time when he communicated their contents. Thus, while feigning an excess of zeal in his correspondence with the king, he would, on the other hand, show a blind obedience to the secret orders he had received.

This procedure is seen to be the more disgraceful when it is realized that an important climax was imminent in that varied drama. Irritated by the evasions and resistance of the Portuguese court, which, though moderate in form, were bold and tenacious in substance, the pope finally came to a definite decision in favor of the New-Christians, a decision which, while revalidating in general the provisions of April 7, 1533, was, at the same time, equivalent to a more or less explicit condemnation of the acts of the king of Portugal in relation to his Hebrew subjects. Under date of October 12, a bull¹³¹ was really drawn up, in which, calling to mind the principal dispositions of that of April 7, and outlining the history of the opposition made to its enforcement, and of the condescension with which he had listened to all of the objections of the court of Portugal, the pope put into operation again the provisions of Clement VII, with such modifications as the passage of time had made desirable, and which, above all, were made indispensable by his decision to recall the bishop of Sinigaglia, who had been appointed executor of the bull of April 7. Thus in place of the proceedings formerly established for the New-Christians to get the benefit of the pardon, a different method was now enacted. A simple auricular confession and absolution, by any priests chosen by the accused, would protect them from further persecution without its being necessary for them to be subjected to any public penance, it being under-

¹³⁰ Letter of Santiquatro to Dom João III, December 16, 1535, Drawer 20, M. 7, No. 1, in the National Archives.

¹³¹ Bull *Illius vices*, in the *Symmicta Lusitana*, Vol. XXXI, folio 463 v., in the Collection of the Bulls of the Holy Office, folio 42, and in the Cherubini Collection, Vol. I, Bull 8, cited in the *Verdade Elucidada*, No. 556, and elsewhere.

stood that in this respect the bull of April 7 was still in full force, and the provisions of the present one being applied to all defendants and suspects to whom the other one referred. All suits for crimes of heresy were to cease, both in secular and ecclesiastical courts, prisoners were to be released, exiles to be recalled, entry of fugitives into the country was to be facilitated, and confiscations were to be suspended. The pope fulminated the wrath of the church against those who might oppose the execution of his mandates, and repealed all canon and civil laws and apostolic privileges that were in conflict with the new bull. As for defendants tried and convicted by the Inquisition, he obliged them to abjure before any ecclesiastic chosen by themselves, but he exempted them from public penance, and ordered that they be restored to liberty.¹³²

Notwithstanding the firmness and decision that was manifested in the provisions of the bull of October 12, it seems that the pope still hesitated about promulgating it. The acquiescence of Dom Martinho smoothed away the last difficulties. Without the knowledge of Dom Henrique and of Cardinal Santiquatro, the archbishop urged the pope to have the pardon published in Portugal, for, as he asserted, this would be the only way to put an end to the tedious conflicts between the court and the Roman curia.¹³³

So the doubts were ended, and the bull, prior to being dispatched to Portugal, was solemnly posted, on November 2, 1535, in the public places in Rome by order of Paul III, who was thus enabled to justify his mode of procedure by referring to the opinion of the archbishop of Funchal himself.¹³⁴

But how came the shrewd prelate to run any risk in supplying to the pope a means of justification that might at the same time serve as the strongest proof, though an indirect one, of his secret relations with the New-Christians? It was because Dom Martinho believed that he had at last reached the goal of his ambitious schemes. Before the departure of Paul III for Perugia, during his residence there, and after he returned to Rome, the archbishop had worked diligently for the realization of the promises of Clement VII, the concession of the cardinal's purple, and he supposed that he had brought matters to such a point that the result was no longer in doubt. Dom Henrique de Meneses, who was watching his movements, had received frequent information not only regarding his dealings with Duarte da Paz, but also about the efforts he was making to gain the cardinalate. Besides warning the king, both directly and indi-

¹³² *Ibid.*

¹³³ Letter of Santiquatro, of December 16, to Dom João III, *loc cit.*

¹³⁴ *Ibid.* The record of publication of the bull at Rome on November 2 is with the transcript of the same bull in Vol. XXXI of the *Symmicta Lusitana*.

rectly, of the plot that was afoot, he had written to Santiquatro, while the pope was still in Perugia, to watch the progress of the plans of the archbishop, and to oppose him, and prevent the displeasure it would cause the king to see a subject rubbing shoulders in the hierarchy with his own brother, the cardinal-infante, Dom Affonso. On the return of Paul III to Rome, Dom Henrique, in his first interview with Santiquatro, demanded of him a frank and precise statement of what had been done regarding this matter. When brought into the open where subterfuges were not possible, Pucci, who did not seem greatly to favor the ambition of Dom Martinho, confessed the whole matter. The affair was well along. Dom Henrique pointed out to him the displeasure that such success must produce in the mind of the prince, whose protector in the curia the cardinal was, and convinced him that his position laid upon him the duty of opposing the designs of the archbishop. Though he thought the task a difficult one, Santiquatro promised to work against the plans of Dom Martinho. Having agreed on this point, they both wrote to Dom João III, and the letter in which the cardinal narrated the intrigues of the prelate was at once translated into Portuguese by Dom Henrique de Meneses. Thus translated into the vernacular, it would not be necessary for the king to entrust its contents to interpreters. Dom Henrique also wrote at length, with the sincere rudeness that was characteristic of him.¹³⁵ Both letters were to be delivered to the king by the hand of the ambassador himself, who asked that they be destroyed as soon as they had been read, and indeed the revelations they contained were dangerous, especially for Dom Henrique de Meneses, whose apprehensions in the matter were undisguised. In making known the active steps he was taking to thwart the aims of his colleague, he also referred to the political dangers that might result to him from the influence and power of the relatives and friends of the archbishop, as well as the personal perils springing from the latter's vengeance, in case the news he was writing came to be known, "for," he said, "thank God, in no other way do I fear them, at least not face to face." He not only asked the king to keep it secret, but also he requested to be ordered to return to Lisbon, for in Rome he ran the risk of being poisoned.¹³⁶ Though he believed that he had aroused every possible obstacle to the ambitions of his colleague, he recommended to Dom João III to write directly to the pope and to Santiquatro on the subject, telling them explicitly his own wishes in regard to this question of the cardinalate.

By betraying his designs in his blind confidence that they were shortly to be realized, the archbishop of Funchal was favoring the cause of the

¹³⁵ Letter of Dom H. de Meneses, October 6, 1535, in Drawer 20, M. 7, No. 24.

¹³⁶ "For while I am here, there is poison here."—*Ibid.*

New-Christians in more ways than one. That incident had absorbed the attention of Santiquatro and of the ambassador-extraordinary so completely that the latter only learned with certainty of the existence of the bull of pardon on the afternoon of the day on which it was publicly posted in Rome. The combined efforts of the two had thwarted those of Dom Martinho, and the pope finally declared himself firmly resolved not to admit him to the sacred college, but the principal question was lost. Furthermore, the situation of Dom Henrique was becoming exceedingly dangerous, for his colleague suspected or knew what had been plotted against him.¹³⁷ Writing again to the king early in November, the ambassador did not conceal his fears, nor the fatal result of the prolonged struggle with the New-Christians. Even in the question of the cardinalate, considering the corruption of the curia and of the nearest relatives of the pope, he did not think a reversal impossible.¹³⁸ Matters having reached such a point between him and Dom Martinho, he feared also that the latter might have him assassinated and thrown into the Tiber, or they might have him poisoned, for notorious examples of such deeds were only too common in Rome, adding that the blame would afterward be put on the New-Christians.¹³⁹ For this reason he begged the king to order at once his withdrawal from a court where not only was his personal security endangered, but where everything was brazenly done for money, those who knew how to do business with the greatest cunning being the ones who were robbed least.¹⁴⁰

At last breaking the seal of his silence, which, if carried farther, would have been criminal, Dom Henrique, on learning that same day that the bull of pardon in favor of the converts had passed, and was about to be sent to Portugal by a messenger of Duarte da Paz, in order that it might be promulgated, denounced explicitly the secret intrigues of the archbishop as attorney of the Hebrews, a matter which it seemed to him that Dom João III ought not to be ignorant of, seeing that it was already known

¹³⁷ "Santiquatro told me the day before yesterday that this man (Dom Martinho) was beginning to speak ill of me, and that I ought to leave here, or to be well on my guard against poison."—Letter of Dom Henrique de Meneses, November 1, 1535, in Drawer 20, M. 7, No. 23.

¹³⁸ "This man might bribe someone, or Pedro Luiz the son of the pope."

¹³⁹ "For there is a river here called the Tiber, in which many better men than I am have been thrown, and there is also poison with which other more honored ones have been dispatched; and they will give it out that the New-Christians did it to me."
—*Ibid.*

¹⁴⁰ "I finished this ransom with very little money just as [I would have done] in Tetuan or with a Moorish official; for that is the way ransoms are made with messengers in redeeming captives."—*Ibid.*

in Rome, Spain, and Portugal. In his opinion, the business of the converts was lost irretrievably, not only through the connivance of his colleague, but even more so through the decisive partiality of the pope, who told Duarte da Paz of everything that happened with the agents of the crown, while he reported to the latter nothing of his dealings with him.¹⁴¹

The bull of October 12 promptly appeared in Portugal. The thunderbolts of the Vatican fell at last upon intolerance, and the cause of humanity and justice triumphed once more, even though by means that would not bear the light of day. The vigorous action of the pontiff made a profound impression. The obstinate supporters of the Inquisition saw their tireless perseverance frustrated, and discouragement spread throughout the ranks of fanaticism and hypocrisy. The common people expressed the fear with which the pope inspired them by a coarse joke in which the condescension of Clement VII was compared with the indomitable character of Paul III.¹⁴² The bull appeared just at the time when the struggle between the civil power and the nuncio, Sinigaglia, had reached its climax. A priest, charged by him to make certain announcements necessary for compliance with the briefs and instructions he had received from Rome, was arrested, even in spite of the fact that the cardinal-infante, Dom Affonso, had arranged a compromise with the nuncio, in order to proceed, as it seems, with less rigor on both sides. That conduct of the civil power toward an agent of his irritated the Italian prelate to the last degree, and he fulminated censures against the judges of the crown. The king, who was in Evora, tried in vain, by letters, to calm the rage of the nuncio. The latter replied that, to oblige the prince, he would yield in everything except in regard to the punishment of the chief judges, for if he gave way on this point he would lose all moral force.¹⁴³

In this state of affairs it is easy to imagine whether Marco della Rovere hastened to inform the king of the existence of the bull of pardon. Dom João III hesitated, or pretended to do so. Cardinal Dom Affonso himself ordered the prison doors opened in many cases, while the nuncio directed that all those should be liberated concerning whom special recommendations had been made from Rome. However, the king still tried to stem the torrent, inviting the bishop of Sinigaglia to come from Lisbon to Evora to confer with him, and requesting that, in the execution of the bull, he

¹⁴¹ Letter of Dom Henrique de Meneses, November 1, 1535, *loc. cit.*

¹⁴² "*Commune adagium . . .*"—"There was a common saying among them: "Paul is not Pope Clement: Paul cannot show off as Clement could for he is so caustic! Enough. They felt that they had a really great and virile pontiff."—"Memoriale," in *Symmicta Lusitana*, Vol. XXXI, folios 40 v. and 41.

¹⁴³ Letter of the bishop of Sinigaglia to the king, October 23, 1535, in the "Corpo Chronologico," Part 1, M. 56, No. 60.

should at least respect the royal dignity. In his reply to this letter, while declaring his acquiescence in the wishes of the monarch, the nuncio expressed himself with a haughtiness that amounted to insolence, and showed how little advantage could be expected of the conference requested.¹⁴⁴ The partisans of the Inquisition, the common people, and Dom João III himself seemed to be discouraged, fearing a conflict in which the supreme judge, the sole dispenser of victory, was pictured as bound to favor their adversaries.¹⁴⁵ The bull of October 12, granting a pardon that included all persons charged with Judaism, gave them the term of one year to avail themselves of it, and thus virtually annulled the Inquisition. The future existence or nonexistence of that institution was the point on which the conflict must now continue. To prevent the tribunal of faith from acquiring new vigor was an undertaking to which the converts might address themselves, not only on account of the hopes that naturally sprang from a first victory, but also because, the tempest of persecution having been calmed for some months, they could gather new resources for the defense, that might be used by the victims liberated from the fetters of the inquisitors. Fanaticism, however, which, on being suddenly attacked, had staggered and retreated, or had at least pretended to do so, was not long in recovering new courage for the struggle to the death to which it was committed.

In the next chapter, we shall see a renewal of the combat, and shall witness the vicissitudes of this long drama whose varied events we have thus far followed.

¹⁴⁴ Letter of the bishop of Sinigaglia to the king, December 5, 1535, in the "Corpo Chronologico," Part 1, M. 56, No. 90.

¹⁴⁵ "*Quibus omnibus . . .*"—"When all these things had been announced and published in the said kingdoms, the aforesaid king acquiesced and held his peace: the entire body of Old-Christians was afraid."—"Memoriale," *loc. cit.*

CHAPTER V

DISPUTES OF KING AND POPE OVER THE APPOINTMENTS OF NUNCIO AND CHIEF INQUISITOR; 1535 TO 1539

While the bull of October 12 was reaching Portugal, the letters of Santiquatro and of Dom Henrique de Meneses were also reaching there. Dom João III found himself at once despised by the court of Rome, defeated in his dominant passion, the persecution of the Jews, betrayed by the archbishop of Funchal, and threatened in his pride by the possibility of seeing the very man who had betrayed him raised to the cardinalate, and thus placed on a footing with his own brother. These were more than enough motives to arouse all the energy of the prince, who was already wrought up in regard to matters relating to the Inquisition by the clamors of the fanatics and hypocrites who exerted a sinister influence over him. In the matter of the cardinalate, the first thing to be done was to have Dom Martinho leave Rome, recalling him to the court, and thus raising an insuperable barrier to his ambitions. As for the business of the Inquisition, it was necessary to offset the sympathies that the converts had gained in the curia, the powerful protection they had bought, and the conviction of the pontiff regarding the justice of their cause, with an influence that, surpassing all of these elements of opposition, would conquer and render them worthless. It was evident that the New-Christians could meet diplomatic intrigues and shrewdness with intrigues and shrewdness of their own, corruptions with other corruptions, and the mask of religious zeal with the reality of the evangelical doctrines of tolerance and humanity. The only alternative that seemed to offer a powerful lever, one capable of shaking and overthrowing this combination of obstacles, was to have the omnipotent will of Charles V intervene seriously in the question.

As we have seen, this alternative had already been tried, but with indifferent success, and unfortunate results. Either the New-Christians had known how to sway the mind of the Spanish ambassador in Rome, or the emperor himself did not serve his brother-in-law in this matter with sincerity. However, this means was one on which Dom Henrique de Meneses had long especially insisted, which the archbishop of Funchal, in good faith or bad, had recognized as the only efficacious one, and which, as it seems, had already been determined upon some time before.

The impotence of all the other methods, now so significantly demonstrated, warned the Portuguese government to follow this road diligently.

It was one of the indispensable conditions for facilitating the retirement from Rome of Dom Martinho, a disloyal agent, a consideration that strengthened the other more urgent, if not more serious, motives for his exoneration. Under the pretext of obtaining precise information regarding the state of the affairs of the Inquisition orders were issued for the archbishop's return to Lisbon post-haste, and, accordingly, he left Rome the middle of December.¹ Possibly he would not have obeyed if he had not seen his plans upset by Cardinal Pucci, who, in writing on this occasion to Dom João III, assured him facetiously that on his return Dom Martinho would kiss his hand in a green cap, not a scarlet one.² Pucci had discovered that the hopes of the archbishop were founded upon a written promise of Clement VII, by which he was to be promoted to the cardinalate under the obligation to go to Abyssinia as pontifical legate, an obligation he intended to evade under some pretext or other.³

The removal of Dom Martinho was accompanied by instructions to Dom Henrique to go to Naples, where Charles V had arrived. There Dom Henrique was to take up with the emperor the affairs of the Portuguese Inquisition, regarding which the Spanish prince had already been informed, and which had been urged upon him. The ambassador to the court of Spain, Alvaro Mendes de Vasconcellos, had received new instructions to help his colleague at Rome in this matter, and both of them were to follow Charles V from Naples to that city, improving every possible opportunity to advance their object, which, in order to prevent misunderstanding, was reduced to this: to get the pope to establish the pardon and the definitive organization of the tribunal of faith just as he had done in Spain.

With this the emperor was in accord, and promised his brother-in-law to make every effort to carry out the proposal, which he felt confident could be done since the dismissal of Dom Martinho, of whose disloyalty, as well as of everything else that had happened, he was fully informed.⁴ In fact, as a result of various conferences between the secretary of state, Covos, and the two Portuguese ministers, the Count of Cifuentes, ambassador at Rome, was ordered to ask the pope, as a preliminary step, for the revocation of the bull of October 12, while Charles V wrote directly to Pier Luigi, son of the pope, requesting him to use his influence to obtain that revocation. But to

¹ This is what may be inferred from the two letters of Santiquatro to the king, dated December 10 and 16, 1535, in Drawer 20, M. 7, No. 1; and from the letter of Alvaro Mendes, ambassador to Charles V, of December 27, 1535, in Drawer 2, M. 5, No. 3.

² Letters of Santiquatro, already quoted.

³ Letter of Santiquatro, of December 17, 1535, in the "Corpo Chronologico," Part 1, M. 56, No. 111.

⁴ Letter of Alvaro Mendes, of December 27, 1535 (*loc. cit.*), and letter of Dom H. de Meneses, from Naples, of January 17, 1536, in "Corpo Chronologico," Part 1, M. 56, No. 128.

the representations of Cifuentes the pontiff replied that while he was ready to do everything the two princes wanted in regard to the Inquisition, in the matter of the pardon he was not. Besides insisting upon the general reasons with which the reader is already acquainted, he seemed to be especially aggrieved at the lack of consideration with which the Portuguese government had treated the concessions and proposals of the Roman curia, not replying promptly to anything, while its agents showed themselves haughty and discourteous. The reply of Pier Luigi was very like that of the pope; but it encouraged the hope that in the end the pope would do all that was possible to please the two monarchs. Anticipating that Charles V would not stay long at Rome, Alvaro Mendes and Dom Henrique de Meneses, encouraged by such hopes, were able to convince the secretary, Covos, of the importance of doing everything possible from the time he left Naples to move Paul III, so that a definite conclusion might be reached during the first days of the emperor's residence at the capitol of the capital of the Catholic world.⁵ It was agreed to that end that Charles V should talk to the nuncio, Paolo Vergerio, on the subject with such emphasis that he could not refuse to fall in with their plans.

So it was done. In a long conference with the Portuguese ministers and Secretary Covos, the nuncio, after examining the state of the question and the documents relating to it, promised to approach his court in its behalf. Meanwhile the emperor wrote a letter to the pope that was to be delivered to him by Cifuentes, who, besides, was asked to manifest the most energetic demonstrations in behalf of that matter. In this way it was hoped that the chief difficulties would be smoothed away in a short time.⁶

While these things were going on in Naples, a singular coincidence happened inopportunately at Rome. One day, when Duarte da Paz had just been with the pope, he received at the hands of an unknown assailant fourteen dagger wounds, from which it was thought he would die. But the cautious convert never forgot that he was living in Rome, and under his clothing he wore a finely tempered suit of armor. The crime, as one may readily imagine, was attributed to secret influences, and Duarte da Paz, accusing the king of Portugal and his ministers of a premeditated assassination, undertook to prove it in court.⁷ However, some months later, in replying to a letter of Santiquatro in which mention was made of the attempt, and to the indignation of the pope on account of its having been committed almost before his eyes, Dom João III excused himself by attributing the crime to private revenge. He was persuaded that if the

⁵ Letter of Alvaro Mendes, December 27, *loc. cit.*

⁶ Letter of Dom H. de Meneses, January 17, 1536, *loc. cit.*

⁷ Letter of Alvaro Mendes from Naples, February 3, extracted from the appointments of Friar Luiz de Sousa, "Annals of João III," p. 397.

crime had been undertaken by his order it would have been done so that the victim would not have escaped.⁸ Fanaticism was proud of the fact that it could count on the firmness of the arm of its own assassins when it thought it convenient to use the assassin's knife in carrying out its schemes.

Fear and remorse must have torn the heart of Duarte da Paz when he saw that death was the final reward reserved for his villainies. Consequently he was not in the best spirit for maintaining his discretion and boldness for the new struggle that was about to begin, and which he had to enter with forced loyalty, supposing the proofs of mortal hatred he had received came from the king. In any case, in his own apprehension he found, so to say, an adversary who diminished his energy. On the other hand, the emperor on his arrival at Rome, though he had been taken there by affairs of the greatest gravity and was to stay only thirteen days,⁹ did not forget his promises. He had become convinced that the fundamental reasons for an Inquisition in Spain and in Portugal were the same, and that it would be convenient and just to establish it in the latter country under the same conditions as those prevailing in Spain.¹⁰ But even if we admit the legitimacy of intolerance, no such similarity existed between the two cases. In Spain men were honest at least; so far were the Jews from being directly compelled to receive baptism that those who preferred exile to the name of renegades had been sent out of the country, so that the royal word, given under the seal of solemn compact, had not been violated. Seeing the question in a false light, and having sold his influence to his brother-in-law in return for the help he needed at sea,¹¹ Charles V urged the claims of the court of Portugal so strongly that the pope, finding himself in a delicate and, to a certain extent, dependent situation toward him, was constrained to adopt a policy different from that which had inspired the resolution of October 12, thus yielding, against his own conscience, to the frenzy of intolerance.¹²

⁸ "Concerning the wounds given him (Duarte da Paz) there, also assure His Holiness that I never gave it a thought, nor was it of my knowledge, and be assured too, and tell His Holiness, that if I had put my mind on it, it would have been done differently, and there would have been little room left him for his wickedness, and it is certain that I have had much regret that it was done so near the presence of the Holy Father, as you say, and that what was told me after his being wounded was they tell me that a priest with whom he had discussions did it or had it done." —Draft of a letter of the king to Santiquatro, after June, 1536, in Drawer 2, M. 1, No. 28.

⁹ From the fifth to the eighteenth of April: Pallavicini, *Istoria del Concilio di Trento*, Book 3, chap. 19.

¹⁰ "Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 42 et seq.

¹¹ "Corpo Chronologico," Part 1, M. 57, No. 31; V. de Santarem, *Quadro Elem.*, T. 2, p. 75.

¹² "Memoriale," *loc. cit.*

But the worst enemies of the cause of the New-Christians at this juncture were perhaps the New-Christians themselves, and the avaricious propensities of a race debased by oppression and contempt. The reader will certainly not have forgotten the offers of money made by the chiefs of the Hebrew people, by which they bound themselves to pay sums, larger or smaller, according to the favors shown them in the pontifical resolutions concerning matters of the Inquisition. Whether the effects of the new intrigues then being woven were awaited, or whether it was due to the impression produced by the last pardon, it is certain that the persecutions had to come to an end. They even confessed the benefits resulting from the bull of October 12. So the bishop of Sinigaglia, having to leave for Rome, whither he had been called, demanded the fulfilment of the secret and simoniacal contracts, in which he himself had a hand, and of the promises that Duarte da Paz had previously made in the curia. With an insight characteristic of an agent of the craftiest court in Europe, the nuncio kept delaying the solemn publication and intimation of the new bull until this business was concluded. In a letter of his, addressed to a person who was interested in these ignoble transactions (perhaps the son of Paul III), we find strong traces of some of the things that went on behind the scenes during the vicissitudes of this drama, and which, if they were all known, would explain those which seem inexplicable.¹³ From this letter it appears that the New-Christians of Lisbon replied to the demands of the nuncio that they were ready to pay what they had agreed in writing to pay; but that they refused to fulfil the promises of Duarte da Paz. Urgent entreaties and threats, made in such language as to save appearances,¹⁴ could not induce them to change their decisions. They said they did not have the means; that their agent had acted without authority from them; that he had tried to turn the pope¹⁵ against them by promising things beyond their power to fulfil. They denounced Duarte da Paz bitterly, claiming that he had robbed them, and the proof of it was that he had put four

¹³ This letter is in the Codex of the Vatican, 6210, at p. 21. It was transcribed in the *Symmicta Lusitana*, Vol. II, folio 232, with the date of March 1, 1550, though from the context it is evident that it belongs to the year 1536, for, among other indications, the nuncio refers not only to the visit of Charles V to Rome as a matter yet expected, but also to the marriage of the Infante Dom Duarte, which it is said Dom João III has in mind to bring about, and which really took place in 1537. Duarte da Paz is there constantly called *il commendatore*. Written at intervals, it is seen that it was begun in January, but was only finished on March 1.

¹⁴ "*Ne con metterli timore, servato il dicoro*"—"nor by inspiring them with fear while keeping up appearances."—*Ibid.*

¹⁵ "*Havea cio fatto per ruinala con Nostro Signore*."—"He had done this to ruin the cause with our Lord."—*Ibid.*

thousand ducats in the bank in Rome, which they asked His Holiness to confiscate, for they made him a present of them. Sinigaglia replied, defending their attorney, and reminding them that if what they stated were true, it was one more reason for showing themselves generous by thus frustrating his wicked intentions. He reminded them that the pope would think he had been imposed upon¹⁶ if he saw that they were satisfied with the bull and yet refused to pay the price of it; that even in case no necessity arose for warping the justice of the apostolic see, yet it was possible that they might in the future find a certain coldness in the pope and in persons influential in the curia.¹⁷ He finally proposed to them that they should state to the pope the insufficiency of their funds; but even this expedient they did not accept. Going to the court, then at Evora, Sinigaglia discussed the matter with the New-Christians living there, but with them he met the same refusals. In view of the spirit that predominated among the merchants of Hebrew origin with whom he had been dealing chiefly, he turned to three scholars who exercised a powerful influence among the converts, and who were consulted by them in everything relating to the struggle with the Inquisition. These the nuncio sought to frighten with the intervention of Charles V, a matter already known. Admitting that the claims of Marco della Rovere were just, they promised to convince their clients of the necessity of coming to an agreement, which might be reached in a conference away from the court, and for which Santarem was chosen. But these plans were all upset. While the nuncio was arranging bills of exchange for five thousand *escudos* that the New-Christians had promised to pay, Master Jorge de Evora, a man notoriously avaricious,¹⁸ who had access to the king, and who was one of the leading men of the converts, either disclosed what was going on, or else, taken unawares, he confessed what the king may have discovered in some other way. The wrath of Dom João III knew no bounds. The three jurists who had advised the agreement with the nuncio were compelled to persuade their clients to take the contrary course, which, in view of their dispositions, was an easier task. At the same time, efforts were made to frighten the New-Christians with the prospect of a renewal of the horrible scenes of 1506; and from the lips of the cardinal-infante, Dom Affonso, himself was heard the brutal jest that, by giving money to the court of Rome, the converts would be in a position to ask help of the pope when

¹⁶ "*Che Nostro Signore . . .*"—"That our Lord would consider himself deceived."—*Ibid.*

¹⁷ "*Dubitavo nel . . .*"—"I doubted whether in the future they would find His Holiness and all the others cold to them."—*Ibid.*

¹⁸ "*Più misero che la miseria . . .*"—"Stingier than poverty."—*Ibid.*

the first popular uprising against them occurred.¹⁹ Thus all means were used for the purpose of preventing the money spent with a free hand, and at so favorable a juncture, from serving as an obstacle, perhaps an insuperable one, to the efforts of Charles V in favor of the Portuguese Inquisition.

Writing to Rome from Braga, where he had stopped a few days on his return to Italy, Marco della Rovere described these events, the state of affairs, and what was to be done. He had intended to go to Flanders where he would expect a reply from the chiefs of the converts, agreeing to the payment of all amounts. If they did not do so, it was because they were sure of their safety in the future by some other means, for otherwise they would have to be considered fools.²⁰ The trip to Flanders was for the purpose of talking with Diogo Mendes, the wealthiest and most respected Portuguese Hebrew, and with the widow of his brother Francisco Mendes who had already provided the greater part of the money for the payment of the five thousand *escudos* received. It was better, therefore, that his arrival at Rome should be awaited before taking any further action; for if the obstinacy of the converts should continue, everything depending either directly or indirectly on the pope, it would be necessary to prove to them that they were a lot of fools if they sought by the use of money to seek security of someone who could not save them, instead of giving it to someone who could. "Then," said the nuncio, "the mask may be justly and piously thrown off."²¹ He was of the opinion that, if the pope showed signs of a willingness to permit the Inquisition to be set up with the rigor asked for, all hesitation and objection would be at an end. On the other hand, Marco della Rovere suspected that they were awaiting the results of the visit of the emperor to Rome, in which case, if the policy of the curia were not altered by that event, they would pay promptly. As for Duarte da Paz, he stated that the most that could be expected was that they should grant him a fixed salary, as had been suggested by the nuncio, without whose intervention they would already have dismissed him as their attorney on account of the many scandals he had caused them. It was necessary that he should conduct matters honestly and that he should avoid excessive expenses; for he had already spent ten thousand *escudos* for them. He recalled the fact that if their agent had

¹⁹ "*Il cardinal . . .*"—"The cardinal . . . said to them: When another combination is made against you, you will go to the pope, and he will look after you."—*Ibid.*

²⁰ "*Che siano li . . .*"—"That they are the biggest donkeys in the world."—*Ibid.*

²¹ "*Si potrà trovar . . .*"—"If any means can be found of apprising them of the fact, if they are such asses, and if they have made up their minds to secure help by means of money from someone who cannot give it them, they are doing the same as they did with the one who could, who in such a case will be able justly and piously to throw off the mask."—*Ibid.*

been free in promises, his constituents were slow in their compliances, and that in Rome verbal promises were not to be trusted, but that written ones should be required. As for the execution of the bull of October 12, he added that various converts had requested of the cardinal-infante, Dom Affonso, a definitive notification of it to the prelates; but the infante, at the suggestion of his brother, the king, it was said, had returned it without having it announced; that they had then finally turned to him, the nuncio, to have it solemnly published; that, in view of the strait they were in, he had used the opportunity to compel them to open their purses, telling them that it did not seem to him prudent to take this decisive step and thereby to stir up still further the wrath of the king, but that, by keeping the promise of their attorney and paying everything they owed, they might send an express to ask His Holiness to order the prompt announcement of that important document; that, furthermore, he had suggested to them another expedient, always supposing the payment's having been made: it was to send to each bishop an authentic copy of the process for the publication of the bull, and for him, the nuncio, to write to the king and tell him that, as he knew how he had prohibited the cardinal-infante from making that publication, just as he had opposed its being done by the nuncio, he had no course left but to report it to the pope so that he could take the necessary steps. In this way the king would have no grounds upon which to accuse them. Those who were considering the matter at Braga approved of this last advice, asking him not to write to Rome before the end of February, so that they would have time to arrange with the chiefs of the converts, and to reach an agreement regarding the principal business—that of money. But they did not keep these fine promises, and Marco della Rovere, having lost hope, sent on March 1 letters for only five thousand *escudos*, the small result of so base a transaction.²²

Thus the inordinate attachment to their money that has always characterized the Hebrew race, aided the very forces that were being used to crush it. Alvaro Mendes and Santiquatro had gone as far as to promise the money to the pope himself, promises that were not fulfilled after the Inquisition was established, but which Paul III was generous enough not to remind them of.²³ In the midst of the great corruption of the times, nothing but gold, given out with a free hand, could offset in the Roman

²² *Ibid.*

²³ This appears in a letter of Santiquatro to the king dated December 23, 1538, in the "Corpo Chronologico," Part 1, M. 63, No. 83. These secret treaties were the cause of Dom Henrique de Meneses' writing offensive things to the pope, which brought him lively regrets before his departure, regrets which Santiquatro refers to in a letter to the king, dated May 2, 1536.—"Corpo Chronologico," Part 1, M. 57, No. 29, in the National Archives.

curia the importance of complying with the wishes of Charles V, so energetically expressed. One can imagine, however, the effect of Santiquatro's letter on perverted minds. The first advantage gained by the adversaries of the New-Christians at the request of the emperor was the removal of Cardinal Ghinucci as a member of the board or commission whose business it was to deliberate on the long and shifting contest about the Inquisition, and his substitution by Santiquatro, who as the declared protector and official of Dom João III amounted to being at once both judge in the case and a party to it.²⁴ Not having to oppose Ghinucci, who had always shown himself favorable to the converts, the skilful Pucci soon found out how to modify the ideas of Simonetta, who long afterward confessed that he had allowed himself to be imposed upon at this juncture.²⁵ At the same time, Álvaro Mendes, who had remained at Rome after the departure of the emperor, continued to urge him by letter to recommend the rapid conclusion of the business.²⁶ It was impossible to resist this combination of incentives. On May 23 a bull was dispatched by which the Inquisition was definitely established in Portugal, and the effects of that of October 12 of the preceding year were virtually annulled, though apparently it was not infringed. The new bull appointed as general inquisitors the bishops of Coimbra, Lamego, and Ceuta, to whom would be added another bishop, friar, or priest, of equal dignity, and a doctor of theology in canon law, chosen by the king. These were authorized to proceed against all persons who had been delinquent in matters of faith since the last pardon, and against any one who might follow them, protect them, or advocate their cause, either publicly or privately, except those who had done so in virtue of the brief of July 20, 1535, and in accordance with its provisions. Up to a certain point the jurisdiction of the bishops was guarded, they being authorized to intervene in the trials of the Inquisition when it was a matter relating to members of their flocks, even though they had abstained from doing so in the beginning of the case. It was ordered that, during the first three years after the publication of this bull, the forms of civil trials for crimes of robbery and homicide should be adopted, and only after that were the methods of the Inquisition to be followed. An exception was made, however, of crimes committed during those same three years for which the civil processes would continue to be used. The authority granted to the bishops having jurisdiction to take cognizance of the acts of the inquisitors was offset by the latter's being authorized to do the same in cases of heresy where suit was brought

²⁴ "Memoriale," *loc. cit.*

²⁵ *Ibid.*

²⁶ Letter of Álvaro Mendes, from Rome, April 22 (four days after the departure of the emperor), in Sousa, "Annaes," Doc., p. 397.

by the bishops. During the first ten years the property of those condemned to death should go to their nearest heirs, or to the next ones in case the first ones were ineligible, and there were to be no confiscations. The inquisitors were invested with the following powers: to appoint a fiscal agent, notaries, and agents, either secular or ecclesiastic, without reference to the respective prelates; to degrade criminals if they were clerics in holy orders, acting through any bishop assisted by two abbots,²⁷ or by other individuals invested with ecclesiastical dignities, the culprits afterward being turned over to the secular courts; to remove all resistance by canonical means; to receive the abjuration of non-relapsed defendants and to admit them to the church without awaiting the intervention of bishops having jurisdiction; in fine, to perform all acts rightly belonging to the ministry of the inquisitors, delegating their powers, within proper limits, to any priests, bachelors of theology in canon or civil law and at least thirty years old, when they were not persons clothed with some ecclesiastic dignity. All of these ministers and agents, without exception, were to remain subject to the jurisdiction of the inquisitors for any crimes they might commit in the discharge of their duties. A general council was formed by appointments made by the chief inquisitor, and the system of appeals was so regulated that they should pass from the deputy inquisitors to the inquisitor-general, and from him to the council. To a certain extent a pretense was made of a desire to protect the New-Christians by declaring null and void any apostolic letters or civil laws which ordered that they should all be considered powerful persons for the purpose of not revealing to them, when they were defendants, the names of informers and witnesses; thus there would be maintained regarding them the distinction made in the common law between powerful and nonpowerful persons, whereby the names of their accusers, and of those bearing witness against them, would be revealed to these latter, thus enabling them to oppose them, and to defend themselves. The bull ended by abrogating all privileges and pontifical resolutions that might interfere with its execution.²⁸

Although it was dispatched on May 23, and in spite of the requests made by the agents of Dom João III and those of Charles V, the bull of the Inquisition was finally sent only about the middle of July,²⁹ probably on account of the obstructions placed in its way by the many protectors of the New-Christians in Rome. Finally Dom Henrique de Meneses, who, as we have seen, had long been urging his removal, returned to Portugal,

²⁷ The word *abbatibus* is lacking in the printed bull.

²⁸ Bull *Cum ad nihil magis*, of May 23, 1536; M. 9 of Bulls, No. 15, in the National Archives; Collection of Bulls of the Inquisition, folios 4 *et seq.*; *Symmicta Lusitana*, Vol. XXXII, folio 1 v.

²⁹ Letter of Santiquatro, July 20, 1536, in Sousa, "Annaes," p. 398.

taking with him the final result of a negotiation that had caused him so much trouble and annoyance. The bull being finished in the Roman chancery, Santiquatro had written to the king in the early part of June, explaining some of its provisions and setting forth the idea and intentions of the pope in regard to the concession. In reality, while Paul III created four chief inquisitors, he did so with the intention of having only one person exercise that office, and that was Friar Diogo da Silva, bishop of Ceuta, a man from whom the converts had nothing to fear in the way of injustice and violence, which they certainly did expect from the bishop of Lamego, whom Dom João III had suggested the year before for that office, and whose name had been included in the bull, along with that of the bishop of Coimbra, simply as a formality, and so as not to vex him by an offensive exclusion.³⁰ Alvaro Mendes and Dom Henrique de Menezes had agreed to this with the pope in the name of the king. The cardinal recommended to the king moderation, especially toward those who had been compelled to receive baptism, and advised him to be content for the time being with what had been conceded, in the hope that in the future

³⁰ Draft of a letter of Dom João III, in reply to one from Santiquatro, June 2, 1536, which we have not found, Drawer 2, M. 1, No. 28. In spite of the long dispute between Friar Pedro Monteiro and Friar Manuel de S. Damaso set forth in the *Verdade Elucidada*, it is not absolutely clear whether Friar Diogo da Silva, bishop of Ceuta, chief inquisitor in 1536, and later archbishop of Braga, was or was not the same as Friar Diogo da Silva, friar of the order of S. Francisco de Paula, who was inquisitor in 1532. In spite of the efforts of Friar Manuel de S. Damaso, a man much superior to his adversary, all that he succeeded in proving was that in 1532 and in 1536 there had been two different appointments; that in the first bull of the Inquisition mention is made of a Minim friar who was not a bishop, while in the second one mention is made of a Franciscan, who was bishop of Ceuta, and that Friar Pedro Monteiro had confused these two facts. Both of them seem to have been ignorant of a contemporaneous document in which the identity of the individual is affirmed. That document is the requisition of the New-Christians, made in 1539, against the appointment of the infante, Dom Henrique, as chief inquisitor (*Sym-micta Lusitana*, Vol. XXXII, folio 184 v.), where it says: "*Recordabitur Sanctitas Sua . . .*"—"Your Holiness will remember that the king's agent on that occasion also promised Your Holiness that, of the three men nominated, the Bishop of Ceuta, whom Clement VII, of blessed memory, had already previously created and appointed Inquisitor-General." An earlier statement of Duarte da Paz said the same thing (*Verdade Elucidada*, Convention VI, Sections 1 and 2) in spite of the forced interpretation given it by the Friar Manuel de S. Damaso. The difficulties and contradictions of the documents relating to this matter are readily settled on the theory of what not infrequently happens in the monastic orders: namely, that Friar Diogo da Silva, before he was chosen bishop of Ceuta, had passed from the order of the Minims to that of the Franciscans. Possibly having professed in that order outside of the kingdom, and returning to his own country where that order did not exist, he may have decided, after some years, to affiliate with the order of the Minorites.

concessions would be made to the postulates that had not been satisfied. Finally he interceded in behalf of the family and relatives of Duarte da Paz, to whom the pope was going to send a brief to enable them to leave the kingdom, a brief which he asked to have respected. In reply to this letter Dom João III showed himself disposed to accept the Inquisition with the restrictions imposed upon his more far-reaching designs, to carry out the promises of the ambassadors regarding the appointment of the bishop of Ceuta, and to respect the life and liberty of the kinsmen of Duarte da Paz, though, in his opinion, they deserved a very different treatment on account of the misdeeds of that man, to whose return to the country he declared he would never give his consent.³¹

In the midst of its triumph the court of Portugal wished at first to keep up the appearances of being moderate. The official acceptance of the position of chief inquisitor by the bishop of Ceuta was made October 5, and it was only on the twenty-second that the bull which instituted that terrible tribunal was solemnly published at Evora.³² The year granted for the reconciliation of converts who might have committed crime against the faith had expired, and in this particular matter the provisions of the bull of October 12, 1535, were maintained. In reality, however, this embarrassed the future persecutions but little. With the accumulated hatred that everywhere threatened the New-Christians, reports and testimony to prove the existence of crimes of Judaism committed subsequent to that date were not lacking. And, indeed, it was but natural that they should exist if one could call it a crime to follow secretly a persecuted religion. It was a matter of but little importance that the bull made a distinction between defendants who were powerful and those who were not, in order that the names of their accusers and of the witnesses of the crime might be revealed to the latter. Inasmuch as the distinction was left to the discretion of the inquisitors, it is evident that this revelation, which was often indispensable for the defense, would be given only when they had not made up their minds to condemn the accused, who had not even the support of public opinion to oppose any irregularities, however monstrous they might be, in a trial that was entirely secret. While orders were being sent to the civil magistrates throughout the kingdom to protect the inquisitors and their agents and to have arrested any persons designated by them,³³ the bishop of Ceuta published a monitory establishing and regulating the system of declarations concerning crimes against the purity of the faith. This monitory was a fearful chart that pointed out the rocks on which it

³¹ Draft of the letter of Dom João III in reply to one from Santiquatro, of June 2, *loc. cit.*

³² Collection of Bulls of the Holy Office, folios 1-6.

³³ Circular of November 20, 1536, in the Collection, folio 147.

would be easy to suffer shipwreck. The acts therein specified that were to serve as indications of heresy were so many, and some of them were so insignificant and even ridiculous, that no one could consider himself secure against accusations of error in matters of faith, to say nothing of those who were watched out of general ill will on the part of the public. Not only were the celebration of Jewish rites and feasts, circumcision, and doctrines manifestly opposed to Catholicism to be reported, according to the monitory of the chief inquisitor, inside of thirty days by everyone who knew of anyone practicing them or propagating them since the pardon of October 12, but also an endless number of acts, innocent in themselves, which, though they might coincide with Jewish superstitions, the best of Christians could practice without harm, just as even today there survive among the people usages the origins of which go back to the superstitions of Roman polytheism, without the people's being regarded as pagans for all that. The method of killing cattle or fowls, the trying of the edges of knives or cutlasses on the thumbnail, the abstaining from eating certain varieties of flesh or of fish, the height of the tables on which food was served, the nature of the food, the position of the room occupied at the time of the death of some individual, the placing of the hands of parents on the heads or faces of their children, the renewal of lamp wicks or the cleaning of lamps on Friday, and other such acts must be denounced to the Inquisition as a matter of conscience and under pain of excommunication by anyone who saw them done, or had information about them. Not only was one obliged to accuse as a heretic everyone who denied the immortality of the soul and the divine mission of Christ, but it was also necessary to inform against those who walked at night, as witches or wizards, in company with the devil, or those who consulted such a person to inquire about future events.³⁴

But before such a vast field was opened up for accusations and persecution, there had been published on October 20 an edict in which thirty days were given as a *period of grace*.³⁵ This edict admonished all who might have erred against the faith to go and confess their sins before the chief inquisitor, at the same time accusing others of the crimes, even though they were their own parents or persons already dead. As there was not the slightest reference to the distinction to be made between acts committed prior to the bull of October 12 and those committed after it,

³⁴ Monitory of August 18, 1536, in the Collection, folios 5 *et seq.*

³⁵ This citatory letter, which is given in Latin in the *Symmicta Lusitana*, Vol. XXXII, folios 70 *et seq.*, was not published in the Collection, where other similar documents are found. The contradiction between it and the spirit and letter of the bull of October 12, and of the bull granting the Inquisition, sufficiently explains this suppression.

and as complaints even against the dead were called for, there began at once violations of the explicit provisions of the bull of May 23, wherein it was intended to avoid in every way the appearance of a flagrant contradiction in the pontifical resolutions. In this edict the Inquisition promised those who, with pure minds and with sincerity, admitted themselves to be guilty, pardon for the past in exchange for light penalties. From this moment the expressions of gospel charity, kindness, and sweetness, in which the document abounded, became a ridiculous sham, for as the inquisitors were to be the judges of the sincerity or of the imposture of the declarations made by the accused, the guarantee given such persons depended upon the mere whims of their enemies. Both the sacrificers and their victims understood beforehand that the *period of grace* was a mere formula. The humanity and tolerance of the Inquisition at this juncture were sufficiently problematical, for no one would be so foolish as to make a useless confession that could be used against himself.

The most natural thing to be expected, and what seemed inevitable after the obstinate resistance to the establishment of the tribunal of faith, and after the extreme efforts that had been made of late to create it, was that there would immediately begin one of those periods of terror and bloodshed—one of those fits of frenzied intolerance that so often doubly darkens the already black pages of the annals of the Inquisition. We do not believe, however, that such was the case, and the most absurd institutions and the greatest criminals have the right to demand impartiality at the hands of history. We lack direct evidences of the moderation of the new tribunal in the early days of its existence, and its propensity and purposes drove it in the direction of cruelty; yet the greater probabilities convince us that no effort was made to give to the bull of May 23 an interpretation too unfavorable to the converts, or at least that the procedure of the inquisitors did not go beyond the bounds of legality, as so often happened afterward. In reading the statements made at different times by the agents of the New-Christians before the Roman curia, one finds, in regard to the period immediately following the appointment of the bishop of Ceuta, nothing but vague accusations that reflect upon the provisions of the bull of May 23, rather than upon its executors.³⁶ Among the members of the general council, immediately instituted by Friar Diogo da Silva, were men whose characters well fitted them for that odious office. One of these, as we shall see later on, was João de Mello, special inquisitor of Evora. But there were others who, without its being supposed that they were models of tolerance, were able to moderate the tendencies toward fanaticism by a sentiment of justice. Among these was Antonio da Motta, who, two years later, was to oppose the excesses of the infante, Dom Henrique,

³⁶ See especially the Memorial, *Symmicta Lusitana*, Vol. XXXI, folios 42 *et seq.*

the successor of Friar Diogo.³⁷ But in regard to the chief inquisitor, we have the unimpeachable testimony of the converts themselves, who, as we have seen, regarded him as an honest and moderate man.³⁸ On the other hand in view of the narrow-mindedness of Dom João III, his offended pride must have had a large part in the interest he showed in getting the Inquisition, while his vanity, satisfied by his triumph, naturally soothed his irritated fanaticism. Added to this were the recommendations of the pope and of Santiquatro regarding the necessity of moderation, and the condition that a too-violent method of procedure would add force to the representations of the New-Christians in Rome against an institution that they could not tolerate and that was fought by the powerful protectors of these same New-Christians, and which the pope had granted only because of the necessity of yielding to the repeated urgings of Charles V.

But besides these reasons, which persuade us that the first acts of the new tribunal were not signalized by excesses in persecution, there were others which must have contributed more directly to that end. Without ceasing their efforts at Rome, the Portuguese Jews sought to diminish the danger of the situation by trying to modify the ill will of Dom João III. The edict of the chief inquisitor, enumerating the acts considered as indicative of Judaism, had filled them with terror. By the intervention of a person friendly to the infante, Dom Luiz, the leading men of the Hebrews, Jorge Leão and Nuno Henriques, proposed a compromise which the infante undertook to communicate to the king with his favorable recommendation. They pointed out what is obvious to the reader, that the acts specified as indicative of heresy were so many and of such kinds that it would be impossible to avoid constantly practicing some of them.

³⁷ Document in the *Symmicta Lusitana*, Vol. XXXII, folios 252 v. et seq. From this document, which we shall have occasion to use further on, it is known that the general council had, from the beginning, a larger number of members than that mentioned by Sousa and Monteiro (*Aphorismi Inquisitor*, p. 13; *Memorial of the Academy of History*, Vol. I, No. 25), who reduces them to four. Possibly there were from the beginning the same six that we know it to have been composed of later. Antonio da Motta himself, speaking of himself, tells us in that document: "*ego in tempore . . .*"—"I was always a member of the council in the time of the bishop of Ceuta. And because I saw that the Infante Dom Henrique (1539) did not observe the form of the bull in these respects, I and others told him over and over again." These deputies of the council, who dared resist the illegalities of the infante (or of the inquisitors, as he afterward declared, probably out of fear), we must suppose had formerly behaved better than their colleagues.

³⁸ The lack of reports of trials in the files of the Inquisition relating to these early times would be a decisive proof of this moderation if a large part of these same reports of trials had not disappeared before they were placed in the Torre do Tombo, or if perchance it could be shown that reports were prepared and placed in the archives then with the same regularity as they were after 1540.

Guilty and innocent were alike endangered. But they, under penalty of fines that might be imposed upon them for each violation, bound themselves to see to it that no New-Christian should flee from the country with his family and property if the king would get the pope to prorogue for another year the period conceded by the bull of October 12, 1535, thus giving them time necessary to avoid in the future acts considered as suspicious, and exempting them from reports for deeds which they may have innocently committed after the epoch of the pardon. The two chiefs declared that unless this were done, few of them would fail to try to escape. Though the infante may not have believed that Jorge Leão and Nuno Henriques exercised as much influence as they supposed, he nevertheless advised his brother to come to an agreement, reminding him of the immense loss that would result to the country from the flight of so many rich and industrious subjects, and of the impossibility of preventing that flight regardless of how severe the laws might be that were intended to prevent it.³⁹ The farsighted arguments of the infante did not induce the king to agree to the proposal; but the advice of that prince, who, through the superiority of his intelligence and by the force of his will, was often able to enforce his views regarding the gravest matters,⁴⁰ certainly contributed powerfully toward the comparative moderation of which we seem to find evidences during the period in which the bishop of Ceuta filled the office of inquisitor-general.

Meanwhile, after the first days of dismay, the agents of the converts in Rome prepared to have recourse again to the means that they had previously opposed to the efforts of the supporters of the Inquisition and to the influence of the king, which, without the help of Charles V, would not have had so decided a triumph. Circumstances again favored them. With the departure of the emperor and of the Portuguese ministers the immediate and violent pressure exercised upon the mind of the pope had ceased, and Santiquatro was left alone to look after the cause of the Inquisition. Among those who were favorably disposed toward the Hebrew race, Cardinal Ghinucci had always been prominent, and the affront of having been dismissed from the committee in charge of the examination and solution of that intricate business must have irritated him and rendered him more attached to his opinion and more active in having it prevail. Hardly had the bull of May 23 been published in Portugal, and the news

³⁹ Letter of the infante, Dom Luiz, to the king, without date, in Drawer 2, M. 2, No. 34.

⁴⁰ "*Apresso il re . . .*"—"The infante, Dom Luiz, has considerable influence with the king in important matters, owing to the authoritative position he has almost usurped."—"Instructions to the Coadjutor of Bergamo," *Symmicta Lusitana*, Vol. XII, folio 46 v., which we shall make much use of later.

of the edicts posted in Evora reached Rome, before the agents of the Hebrews turned again to the pope with energetic appeals. They repeated afresh the considerations they had so often presented already against the establishment of the Inquisition, and added other new ones against the tenor of the bull and against the illegalities and absurdities of the edicts. They observed that by the dispatch of that of May 23 the provisions of the one of October 12 had been falsified, unintentionally at least, in which there had been conceded to suspects and to persons charged with heresy a year in which to obtain pardon; that Cardinal Santiquatro, an agent of Dom João III, had taken the place of Cardinal Ghinucci on the board authorized to settle the question, thus being at once judge and party to the case; that, in violation of divine and human law, the bull of the Inquisition had been finally drawn up and put into execution without the repeal of the law which prevented Hebrew families from leaving the kingdom; that there had been left to the discretion of the chief inquisitors and to the influence of the king the selection and appointment of the subordinate inquisitors of lower rank and of the officials and bailiffs of the tribunal, who rightfully should be approved by the bishops having jurisdiction and individually appointed by the pope. Besides they pointed out as vicious many of the provisions of that document. Such were the establishment of ordinary trial for only three years, and the suppression of confiscations for only ten; the legalizing as operative of the hitherto limited duty of the bishops to intervene in cases of heresy; the concession of the age of thirty years for judges of the Inquisition when canon law required forty; the failure to provide for the accessibility of prisons used for custody and not for punishment, and to prevent the inquisitors making arrests at their own good pleasure without any rule whatever; the failure to require that the character of witnesses should be clearly proved, and to regulate cases in which terms were given which otherwise had to be moderate and in conformity with the resolutions of the inquisitor and of the bishop having jurisdiction, those being exempted from it who were exempted by the civil law, such as doctors and gentlemen; finally, the failure to amplify and make clear the system of appeals, which, in the opinion of the converts, was the chief matter in that complicated affair.⁴¹ In some of their memorials to the pope the converts became eloquent. "If Your Holiness," they said, "despising the prayers and tears of the Hebrew people, which we do not think you will do, refuses to make provision against this evil, as

⁴¹ "*Inquisitio non debuit concedi . . .*"—"The Inquisition ought not to have been granted," etc.—*Symmicta Lusitana*, Vol. II, folio 271. "*Rationes quibus S. D. N. motus.*"—"Reasons why the S.D.N. was moved."—*Ibid.*, Vol. XXXII, folios 145 *et seq.* This last plea belongs to a somewhat later period; but from its own context it is clear that the objections here briefly stated were presented at once. See also the "Memoriale," volume cited, folios 45 *et seq.*

becomes the vicar of Christ, we declare before God and to Your Holiness, and with cries and groans that will sound afar, we shall protest before the whole world that, finding no place where we may be received in the Christian fold, persecuted in our lives, in our honor, in our children, who are blood of our blood, and in our very salvation, we shall continue to try to abstain from Judaism, until, unless these tyrannies cease, we do what otherwise not one of us would think of doing, that is, we shall return to the religion of Moses, disowning Christianity which we have been violently compelled to accept. Declaring solemnly the exact degree of violence of which we have been the victims, by the right which this fact gives us, a right recognized by Your Holiness, by the cardinal protector, and by the ambassadors of Portugal themselves, we shall abandon the country, and shall seek a refuge among people less cruel, but sure, in any event, that it will not be from us that the Almighty will demand a strict account of our conduct." As for the edicts, they called attention to the absurdities to be found in them by simply reading them through, and they also pointed out other provisions in them that were entirely contrary, not only to common law, but even to the very letter of the bull of May 23.⁴²

These allegations were strengthened by other efforts that were made, efforts more or less illegal, but which the slack customs of the times excused to a certain extent. There had arrived at Rome the nuncio, Marco della Rovere, with whose moral ideas the reader is already acquainted, ideas with which the New-Christians were destined to become even better acquainted through their own experience. His anger against them on account of questions about money was somewhat modified and the reason for it is readily imagined. It is certain that the bishop of Sinigaglia was authorized to bribe Ambrosio Ricalcati, the private secretary of the pope, and, as it seems, some other person of influence, for the purpose of inducing Paul III once more to favor the cause of those whom a little while before he had delivered to the hatred of their persecutors.⁴³ The Italian

⁴² "*Rationes erga edictum . . .*"—"Reasons against the edict," etc.—*Ibid.*, folios 75 *et seq.* "*Memoriale quoddam . . .*"—"A certain memorial . . ."—*Ibid.*, folios 90 *et seq.*

⁴³ In a letter of the ambassador, Pedro de Sousa de Tavora, dated January 20, 1538 ("*Corpo Chronologico*," Vol. I, M. 60, No. 76), written partly in cipher, speaking of the imprisonment of Messer Ambrosio, secretary to the pope, for his excessive venality, the Portuguese agent says: "And among the other (bribes) the bishop of Sinigaglia presented to him at once when he came from Portugal (the rest is in cipher). Also I understood that (cipher) now (cipher) not knowing (cipher) ordered him to hand over on the part of the same parties (cipher) every year (cipher) *cruzados*, or more, in order that he should favor them and these (cipher) the hands (cipher); for which reason I do not believe that he is very well pleased (cipher), for when one commits that to another it is a sign that he would not hesitate to accept what they might offer him."

prelate did not limit himself to taking these secret measures. He himself showed to the pope in lively colors (in which we do not think it was necessary for him to exaggerate or misrepresent) how unbecoming, unjust, and anti-Christian were the last concessions made to fanaticism out of political considerations.⁴⁴ The pontiff was afraid of incurring the displeasure of the two princes, but he was disturbed by the urgent appeals of the converts, while the suggestions of those about him caused him to hesitate. He adopted a middle course. He appointed Cardinals Ghinucci and Jacobacio to see whether the bull of May 23 ought to be modified. The appointment of Ghinucci made it clear that the policy of the Roman curia was taking a new direction, and equally significant was the calling into the conferences of the ex-nuncio in Portugal. The result was that the two cardinals came to the conclusion that the bull had been unduly conceded, that they convinced Paul III of it, and that he did not hesitate to manifest his regret to Cardinals Simonetta and Pucci. In vain Santiquatro exerted himself to remove the remorse of his pontiff, and to hold Simonetta to the ideas he had inculcated in him. Carried away by the arguments of Ghinucci and Jacobacio, the latter confessed, in rude but sincere phrases, that he had been deceived, and, excusing himself from having anything more to do with the business, he declared that it was the duty of the pope to remedy the evil that had been done.⁴⁵

Under these circumstances the pontifical court decided to send a new nuncio to Portugal. The man chosen for the post was the chief notary, Girolamo Ricenati Capodiferro, whose appointment was dispatched on December 24, 1536, but who did not leave Rome until February 1537.⁴⁶ At that time, Pedro de Souza de Tavora was in charge of the affairs of Portugal at Rome; but because he expected to be replaced,⁴⁷ or because his correspondence is not available, or finally because the converts had succeeded in winning him over, or at any rate in securing his neutrality, it does not appear that he tried hard to oppose the new tendency of the curia. It was the chief purpose of the mission of Girolamo Ricenati to satisfy the demands of the New-Christians, though the presence of a pontifical agent at the court of Dom João III might also be needed for

⁴⁴ "*Quia jam prae-fatus . . .*"—"Because the aforesaid lord nuncio was in the curia and had informed His Holiness concerning the above-mentioned facts in accordance with justice and truth, as it is believed."—"Memoriale," *loc. cit.*, folio 48 v.

⁴⁵ "*So stato gabbato: provida sua santità . . .*"—"I have been hoodwinked; let His Holiness look to it."—*Ibid.*, folio 50.

⁴⁶ Manuscript 25 of Bulls Nos. 4 and 52 in the National Archives; *Symmicta Lusitana*, Vol. XXXII, folio 68, and Vol. XXII, folio 159 v.

⁴⁷ "Corpo Chronologico," Part 1, M. 58, No. 43.

other rather serious purposes. Credentials prepared by Ghinucci and Jacobacio were given to the nuncio in which Paul III recommended to the king to hear what he had to say concerning matters of the Inquisition, and at the same time letters were written to the Infantes Dom Luiz and Cardinal Dom Affonso asking them, in that particular matter, to favor the efforts of the pontifical representative with their influence upon the mind of their brother.⁴⁸ The instructions received by Capodiferro at the time of his departure related to the various points that had to be dealt with, but for the most part they related to the subject of the new tribunal of faith. He was charged to assure the king that, in spite of the complaints of the converts, nothing that was done would be changed, but that for conscience's sake the pope had ordered the nuncio, while he lived in Portugal, to examine all the trials of the Inquisition, in order to see whether the bull of March 23 was being complied with strictly, and whether the promises of moderation especially made by the king were being carried out. In case they were not, he was to be guided by circumstances, and especially was he to prevent the slightest meddling in that business on the part of those who had opposed the bull of pardon, for it was not to be supposed that such as these were acting through zeal for justice and religion, but rather out of hatred and for vengeance. Among those excluded were expressly mentioned Doctor João Monteiro and a certain Master Affonso.⁴⁹ The favor of the latter with the king displeased the pope on account of his being a man who led a scandalous and turbulent life, of which there were abundant evidences in Castile during the revolt of the towns, and whom, in the court at Evora in 1535, according to information obtained at Rome, the people demanded that the king should remove from his presence. And now the pope too insisted upon it, and asked that he be ordered to retire to his convent, there to do penance. In the instructions to Capodiferro it was added that efforts be made to persuade the king in courteous language of the necessity of being cautious and strict in the choice of judges and officers of the Inquisition, so that in place of the bad being punished and the good left in peace, it might not turn out that the tribunal would serve only for the gratification of the ill will and vengeance of the Old-Christians. Meanwhile the nuncio was expressly ordered to take cognizance of any case in which injustice was done, and, if that were not enough, to suspend the case and have it brought before himself, for which purpose

⁴⁸ "*Litterae Pauli III Joan. regi, Cardinali Portug. et infante Alois, 7 februar. 1537.*"—"Letters of Paul III to King John, the Cardinal of Portugal, and to the Infante Luiz, February 7, 1537," in the *Symmicta Lusitana*, Vol. XXXII, folios 65 *et seq.*

⁴⁹ This was probably the one who had given offense to the court of Rome in his sermons in favor of intolerance and fanaticism. See *ante* p. 390 of this volume.

the necessary powers were given him.⁵⁰ He was also told that if he met with resistance he should report it to Rome, for that would be accepted as sufficient reason for abolishing the Inquisition. Of late it seemed to the pope that the law prohibiting the converts from leaving the kingdom ought to be revoked, for it was a law revived in 1535 and it made their condition worse, perhaps, than that of slaves. He recommended, therefore, to his nuncio that in regard to this he should spare no efforts with the king; that he should tell him frankly that it was the general opinion that so much interest in the Inquisition did not come from zeal on his part for the faith, but from his intention to ruin those unfortunate people; that he should point out to him that such procedure was likely to make them worse than Jews by reminding them of their captivity in Egypt, and to warn him that, if he continued to act so under the pretext of opposing their leaving the country in order to profess Judaism, it would be better that they should turn Jews out of pure wickedness rather than on account of him, who was not at liberty to do violence to their wills, which God had made free, and which might be changed more easily through kindness than by violence, which in no case was compatible with true justice.⁵¹

Such were the instructions given to the prothonotary. They were evidently drawn up in a spirit hostile to the Inquisition, and the New-Christians were certainly not ignorant of their contents. In keeping with the last part of them, the New-Christians addressed a long petition to the king, in which they laid stress upon the tyranny and cruelty of the law of June 14, 1532, that had been revived in 1535, and they asked for the natural liberty enjoyed by other vassals of the crown, not only to leave the kingdom, but also to sell their real estate and to take their funds with them.⁵² Possibly this petition was presented without the slightest expectation that it would be granted; but this very fact served to combat the Inquisition, for it showed it to be more monstrous and gave greater plausibility to the belief that it was not the aim of the king to maintain the purity and integrity of the faith in his own domains, but simply to shed the blood of some of his wealthiest subjects in order to get possession of their property. The condition of the public treasury warranted this belief. It was not possible to conceal the low condition of the exchequer; for already at this period, besides the enormous internal debt represented by interest-bearing obligations, the loans raised in Flanders were so huge,

⁵⁰ The brief conferring these powers, dated January 9, 1537, is inserted in two authentic copies in the trial of Ayres Vaz—"Processes of the Inquisition of Lisbon," No. 13:186 and No. 17:749, in the National Archives.

⁵¹ "*Instruzione di S.S. per il signore nunzio G. Capodiferro . . .*"—*Symmicta Lusitana*, Vol. XXXIII, folio 149.

⁵² "*Supplicatio regi facta . . .*"—*Symmicta Lusitana*, Vol. XXXII, folios 98 v. et seq.

for those times and in relation to the resources of the country, that the annual interest upon them amounted to 120,000 *cruzados*. This picture was rendered still more gloomy and the prospects of the future yet more alarming, not only by the inevitable expenses of the wars in Africa and India, and by those of the colonization and defense of Brazil, but also by the spendthrift disposition of the king, who, not content with increasing the economic difficulties by the maintenance of friars and expensive works on convents and monasteries, such as those of Thomar and Belem,⁵³ squandered the funds of the state by making truly prodigious gifts of money to courtiers and favorites.⁵⁴ As was to have been expected, the petition had no effect. A copy was then sent to Rome and inserted in a memorial addressed to Paul III, in which the converts, complaining of the severity with which they were treated by their sovereign in a matter so clearly just, asked the protection of the common father of the faithful. This rejected petition thus gave support to the efforts being made to annul the effects of the bull of May 23.⁵⁵

Along with the instructions we have seen, Capodiferro had also received a brief with powers to proceed to the suspension, either absolute or limited, of the inquisitors, if they refused to agree to the inspection of their acts and the modification of their decisions in accordance with the idea that induced the pope to send him to Portugal. The pope, however, had verbally instructed the nuncio to ask Dom João III, seeking to this end to influence also the minds of the infantes, Dom Luiz and Dom Affonso, to defer the operation of the Inquisition, while they debated again in the curia the advisability or inadvisability of retaining that tribunal, while a special ambassador was sent to treat of the matter, the king to consent at the time to allow four New-Christians to leave the kingdom in order to advocate their cause at Rome. If Dom João III should formally refuse or should protract the final decision by delays and quibbles, Geronimo Recanati was to take decisive action, interfering in every trial and enforcing by canonical regulations the obedience of the ministers of the holy office who might appear rebellious. If, in consequence, the king should come to terms, he was to use moderation and so to comport himself that the monarch would feel satisfied, and at the same time the New-Christians should not have grounds for complaint against the apostolic see, but he should speak always in their behalf whenever they might ask his protection.⁵⁶

⁵³ [Belem is now a part of the city of Lisbon.—Tr.]

⁵⁴ Sousa, "Annaes," Append. de Doc., pp. 401, 404, *et seq.*

⁵⁵ "*Supplicatio*," etc.—*Symmicta Lusitana*, *loc. cit.*

⁵⁶ "*Ordo tenendus a nuntio in Regno Portugaliae . . .*"—"The order to be observed by the nuncio in the Kingdom of Portugal," etc.—Volume cited, folio 68.

Such was the policy of the court of Rome. The reader will not have failed to observe the phases through which the business of the Inquisition passed up to this point. Having been granted in the beginning without any great resistance, and only with such restrictions as suited the supremacy of the curia, the terrible tribunal had been suppressed by the force of the exertions and of the gold of the converts, and had been conceded anew, not because convictions or circumstances had changed, but merely because its re-establishment suited political convenience, and the New-Christians were remiss in meeting the pecuniary contracts they had made with Sinigaglia. Though the pope, in order to suppress it, had appealed to the immutable doctrines of charity, tolerance, and justice promulgated in the gospel, when those doctrines were condemned by the imperious voice of Charles V, the Roman curia did not hesitate to condemn them also. Now things were changing. The New-Christians understood their true interests better this time, and the gospel doctrines were once more acquiring the ascendancy in Rome. To bring up for discussion a subject already debated to the point of satiety, though it did not bring more light, doubtless did bring new and large profits to the judges and principles in the contest. It was said that Rome, with its finger on the pulse of the Hebrew race, and without ceasing to feed on its blood, calculated the number of breaths it could be allowed to draw without reducing it to a useless carcass. In this, it gave proofs of a greater prudence than Dom João III, who, blinded by fanaticism and driven by lack of funds, dreamed perhaps of the size of the confiscations that the extermination of that unhappy race ought to bring him in the future, without thinking that by coming to terms with it, but keeping always before its eyes the spectacle of the Inquisition, he would have found a system of perpetual spoliation. Of the two policies the franker one was that of the king; but that of Rome, beyond question, was the more sagacious.

Whether because Dom João III succeeded in winning the goodwill of the prothonotary, or because, as we believe, violent persecutions were naturally repugnant to the chief inquisitor, and the acts of the Inquisition did not afford sufficient motive for the urgent requests of the New-Christians, it is certain that when he reached Portugal the nuncio made no use of the ample powers he brought with him. But energetic protests reached Rome a few days after the departure of Capodiferro, both in opposition to the second edict of the bishop of Ceuta and regarding the refusal of the petition relating to the abrogation of the laws of June 14, 1532, and of 1535. The pope then addressed to his nuncio new and more urgent recommendations to proceed vigorously, recommendations which seem to have had no effect.⁵⁷ But the converts were not discouraged. In the absence

⁵⁷ "Memoriale," *loc. cit.*, folios 51 v., et seq.

of the violent persecution they were counting on, but of which no positive evidences are found, they made use of a circumstance, serious in itself, but which, in view of the comparative moderation of the restored tribunal, lost a large part of its importance. As we have seen, the pope had declared in the brief of July 20, 1535, that to be the attorney of anyone charged with Judaism, or to furnish provisions to persons imprisoned for such crime, did not imply complicity, nor did it furnish grounds for the persecution of those who so acted, nor, finally, did such things warrant the king in placing obstacles in the way of their free departure from the kingdom.⁵⁸ But in spite of the fixed determination of the pontiff, the contrary practice had been continued.⁵⁹ And it was against this that the New-Christians raised a loud outcry. The Roman curia felt that it ought to show a spirit of hostility, which, in appearances at least, led it to oppose the Inquisition, making new provisions concerning a matter in which it was moreover materially interested; for if, in view of the practice established in Portugal, all persons were forbidden to leave the kingdom who desired to go to Rome to attend to matters connected with the tribunal of faith, or if those who sent there large sums for the purpose of keeping up the struggle were held to be abettors of heresy, this fact would be to the detriment of the curia. So toward the end of August a brief was dispatched in which the doctrine of July 20, 1535, was repeated. To its provisions was given the interpretation that was to be accepted as genuine, but contrary to the opinion of those who, as the pope said, wishing to be more discriminating than was necessary, declared that this other brief referred only to the advocates and attorneys in court of those who were imprisoned, and not to those who, in any other way or in any other part, upheld and protected the New-Christians in matters relating to the Inquisition, whether collectively or individually. For this reason the pontiff declared that the brief of July 20 was extended to all those who might work in any way to establish the innocence not only of defendants under arrest, but also of those who were merely accused or reported, and whether they lived within or without the country, and whether or not they were their relatives and friends; that everyone was at liberty to protect the converts, either judicially or extrajudicially by defending them, advising them, making solicitations in their behalf, and spending money in their favor in Portugal, in Rome, or anywhere else, so long as the individual thus acting were not accused or publicly denounced for the same crime. The pontiff fulminated the penalties of suspension and excommunication against any prelates, inquisitors, and magistrates who, for the simple act of protection given defendants charged with Judaism, either within or

⁵⁸ See above, p. 383.

⁵⁹ "Memoriale," *loc. cit.*

without the kingdom, should persecute anyone either under church or civil law, and he recommended the king to intervene with his authority to see that the provisions of this brief should be complied with to the letter.⁶⁰

In spite of all these manifestations, the state of affairs in Portugal in relation to the Inquisition does not seem to have changed. Besides our lack of evidence that persecution had increased, as the vague complaints of the New-Christians might have induced prejudiced persons to believe, the steps taken by the pope, though energetic in appearance, were perhaps modified by secret orders given to the nuncio. The habitual policy of the pontifical court, and the gravity of other matters then under consideration between the two governments, and which were intimately related to the general conditions in Europe, obliged the pope to temporize with Dom João III, for, in the instructions already given to Capodiferro, it had been recommended that while he should constantly have regard to justice for the converts, and to satisfying them in their requests, he should none the less take pains to propitiate the king.⁶¹ From the beginning of his pontificate Paul III had thought of forming a league with Charles V and the Venetians against the Turks, and he was working actively to bring about such an agreement. But the wars of the emperor with Francis I of France placed insuperable barriers in the way of the realization of this enterprise. The pope exerted himself to bring these wars to an end, and a truce celebrated between these two princes near the end of 1537 encouraged him to redouble his efforts. And these efforts were not in vain. It was agreed that there should be a conference of the two sovereigns in the city of Nice in Piedmont, to treat of peace, a conference that ended in a continuance of the truce for ten years. With the suspension of hostilities an agreement was made between the pope, the emperor, and the republic of Venice to have a powerful armada sent against the Turks and with it an army of nearly sixty thousand men. These extraordinary armaments awakened in many minds, and perhaps in that of Paul III himself, the hope of again extending the limits of Christian Europe to Constantinople. But all of these hopes soon vanished through the treason or cowardice of André Doria, admiral of the fleet, who fled, after having refused a highly advantageous opportunity to attack the Turkish admiral,

⁶⁰ " . . . *patrocinium, defensionem,*" etc.—" . . . to afford patronage, protection, aid, help, counsel, and favor, as well in those regions as in the Roman curia and elsewhere, in every place, and to furnish money and other things needful to their defense."—Brief *Dudum a nobis*, August, 1537, *Symmicta Lusitana*, Vol. XXXII, folios 120 *et seq.*

⁶¹ "*Dirigendo semper* . . ."—"Always having regard to the gratification of the king, but more to justice and to insuring that none of those wretched men should have a just reason for complaining of His Holiness and of the Apostolic See."—*Ordo tenendus*, etc., *loc. cit.*

Barbarossa, allowing him afterward to destroy or capture various galleys and ships that were unable to accompany the Christian admiral in his inexplicable flight.⁶²

Such were the events, certain phases of which led the pope to recommend to the nuncio to act wisely, to favor the converts without entirely alienating the mind of Dom João III. To a certain extent, he was depending on the king of Portugal for the realization of his two principal designs, the reconciliation of the emperor with the king of France, and the collection of the resources necessary for the expedition against the Mussulmans, toward which he was expected to contribute part of the materials of war, men, and ships. With this ultimate purpose in view he decided to impose two tithes on the incomes of the Portuguese clergy, and he hoped to remove the opposition to that extraordinary contribution (opposition that would otherwise be certain) by ceding part of it to the civil powers. On the other hand, in order to induce Dom João III to intervene in the reconciliation of Charles V with Francis I, he had sent credentials and instructions to Capodiferro, directing him to propose the matter to the king, to whom, moreover, he had written.⁶³ But as these negotiations do not properly come within the scope of this work we shall not follow them in their progress and results, save when they serve, as they do here, to illustrate the events that properly belong to our narrative. It is enough to realize how urgent were the motives that compelled the pope to temporize with the court of Lisbon, and how probable it is that the private instructions given the nuncio were not always in accord with the external demonstrations favorable to the converts.

While these things were happening, a discussion was going on in the committee created in Rome in regard to the advisability of altering or not altering the Bull of 1536, by which the Inquisition had been re-established. The year 1538 was passed in these controversies and in the obscure intrigues that must have accompanied them. The lack of documents relating to the subject during this period shows that neither had the violence of the inquisitors become greater than it had been at the beginning, nor, as a consequence of the same fact, were the Portuguese Hebrews urging with excessive fervor the definitive decision of the committee. There was, however, besides this, another reason for that temporary lull; and a sad reason it was, and one from which greater ills were yet to come. That was the corruption of the nuncio; a corruption, to a certain extent

⁶² Ranke, *Die Roemischen Paepste*, I Band, 3 Buch; Pallavicini, *Istoria del Concilio di Trento*, Book IV, chaps. 5, 6; Fleury, *Hist. Eccles.*, L. 138, sections 52 et seq.

⁶³ Letter of Pedro de Sousa de Tavora to the king, written from Rome, November 15, 1537; Drawer 2, M. 5, No. 26, in the National Archives.

made easy by the instructions in which he was directed to favor the converts, and to maintain toward the king a bearing of duplicity rather than one of prudence. Without interfering in the procedure of the inquisitors against any defendant, Capodiferro, having been authorized by the last brief and by the instructions he had received with it to review trials, contented himself with absolving those who had been condemned by the Inquisition. But it was not Christian tolerance and humane impulses that moved him: it was cupidity. He had embraced the traditions of his predecessor, Marco della Rovere, and he felt that, as gold had secured for the latter impunity at Rome, he also might, without danger, enrich himself by the same means. If he applied that system to all of the ecclesiastical dependencies, one can imagine how far Capodiferro would be kindly disposed toward those inclined to Judaism, who, encouraged by the favor of the nuncio, were gradually losing the fear which the re-establishment of the tribunal of faith had first excited in them, and were becoming less cautious about concealing their faith. If we may believe the complaints sent to Rome some time afterward by Dom João III himself, the punishment of religious crimes and of the corruption of the clergy had become impossible while Gerolamo Recanati lived in Portugal. Influence and money were everything. It fairly rained briefs, pardons, and dispensations. Prices varied; for the amount was regulated, perhaps in inverse ratio to the influence of the person who asked a favor. Capodiferro knew how to make himself useful to the powerful; but the spiritual merchandise rose in value when the petitioner was a person of small account.⁶⁴ But the nuncio was merely carrying out on a larger scale the selfish spirit of the court of Rome. For there, too, the benevolence of the influential was not to be had for nothing, and, in the opinion of some, not even Paul III himself was free from the common vice.⁶⁵ The king dissembled with

⁶⁴ " . . . of the stay of the nuncio here there increased so much the boldness of bad people, and so much security in wrong doing without punishment, and so great certainty of pardon for misdeeds through any information about them, at prices very dishonest, some enormous and others very cheap, and in all cases with the evident purpose of personal interest, without respect to the reason of the thing or of its scandal, or of the diminution of the jurisdiction of the prelates, against whom the doors are entirely closed so that they can punish no wicked persons, nor can they govern their prelacies, so many are the dispensations and pardons and bulls that for money and friendship are to be had in the house of the nuncio, in all cases regardless of crime and punishment," etc.—Draft of the letter of Dom João III to Dom Pedro de Mascarenhas, August 4, 1539, in the original correspondence of Dom Pedro Mascarenhas, in the Ajuda Library.

⁶⁵ In the letter of Pedro de Sousa de Tavora of November 15, 1537, cited above, the Portuguese ambassador advised the king to be liberal, not only with Santiquatro, who had already asked openly and even with asperity the reward for his services, and, in addition to him, with the secretary and chamberlain of the pope and others,

Capodiferro, for the complications of matters pending in the Roman curia compelled him to do so. Having decided to replace his ambassador, Pedro de Sousa de Tavora, with Dom Pedro Mascarenhas, who, on his way, had to treat of important matters at the court of Spain and with that of France, he had ordered the departure of the new agent in December,⁶⁶ 1537. One of the principal objects of the mission of Dom Pedro was to escape the imposition of the two tithes on the ecclesiastical rents of the kingdom; for, in spite of its zeal for the cause of religion, the Portuguese government always energetically opposed the extortions of the curia. The ambassador reached Rome after the middle of the year 1538, after having been delayed by matters that kept him at the court of France. The question of the two tithes, and of another affair just then being warmly discussed, namely the exemption of Portuguese prelates from going to the council (if not all of them, at least those whom the king might select), along with other grave matters, must have fully absorbed his attention.⁶⁷ Meanwhile he had not forgotten to look into the state of the contest, and to see what advantages the New-Christians had gained in the committee charged with the duty of weighing the grievances of which they complained. Things had come to a sorry pass. The preponderance of the adversaries of the Inquisition in the councils of the pontiff, a preponderance that had already shown itself the year before in the provisions dispatched in 1537, had not diminished. Ghinucci, one of the cardinals to whom the pope confided the examination of the most serious matters, having been restored to the committee, was there making implacable war upon the claims of the court of Portugal in accord with Duarte da Paz and other agents of the New-Christians. Such was the ardor shown by the cardinal in the struggle that it may be said everything depended upon him. The first steps of the new ambassador were directed toward taking the business out of

but even with Paul III himself. The language of the ambassador is significant: "It is the pope principally that Your Highness should remember, for he can give you many pleasures and also many pains; and even if nothing else, at least send something from the things of India that can be given him, *for they will accept anything*."

⁶⁶ The title of the draft of instructions to Dom Pedro Mascarenhas (Original Correspondence in the Ajuda Library) says that Dom Pedro started on December 29, 1538. That is because the new year was counted from Christmas Day. Thus December 29, 1537, fell in 1538 according to this calculation.

⁶⁷ We have the draft (Original Correspondence of Dom Pedro Mascarenhas, folio 45) of the reply to a letter of Dom Pedro Mascarenhas, written in France to the king, March 30, 1538. In this reply, which must have been written about the end of April or the early part of May, though the ambassador is directed to hasten his departure for Italy, he is also ordered to discuss various matters with Francis I. So he must still have been in France in June. The first letter we have of Dom Pedro Mascarenhas dated at Rome, is one of December 24, 1538 ("Corpo Chronologico," Part 1, M. 63, No. 86), regarding the two tithes.

his hands, and he acted with such skill and energy that he succeeded in getting him replaced by Cardinal Simonetta, the very one who, after having been favorable to the expedition of the Bull of May 25, 1536, had later repented, excusing himself on the ground that he did not understand the evils arising from it. While he had the reputation of being an honest man, Simonetta was poor and at the same time he was as influential as Ghinucci in matters of great import. By having that matter entrusted to him, Dom Pedro Mascarenhas hoped from these two circumstances to gain advantages for the ends he had in view. Such was the state of affairs in the early part of 1539, when unexpected events happened which stirred up afresh the struggle that had so long lain dormant.⁶⁸

It was February of this year. The court was at Lisbon, and the titular bishop of Ceuta was in his diocese at Olivença. As it seems, the labors of the tribunal of faith, the activity of which was somehow annulled by the pressure the nuncio exercised upon it, were not so important as to require the presence of the chief inquisitor at Evora or at the capital. On a certain morning, however, a singular proclamation was posted on the doors of the cathedral and of the other churches of Lisbon. It was there stated that Christianity was a fraud, and the coming of the true Messiah was announced. The language of this seditious paper, which was without the name of the author and without signature, revealed either a violent excess of Jewish fanaticism, or the purpose of stirring up a feeling against the converts. As soon as these blasphemies were read, the agitation became general. While the ecclesiastical and civil authorities and agents of the Inquisition sought in every way to discover the person or persons guilty of the outrage, the king offered a reward of 10,000 *cruzados* for anyone who would disclose them. These steps taken, the people quieted down; but among them were already current the blood-thirsty ideas, the explosion of which had produced such horrible scenes thirty-three years before. A great number of New-Christians sought to save their lives and property by secretly escaping to Africa.⁶⁹ At the same time the bishop of Ceuta was ordered to delegate his powers to the bishop of Porto, in whose severity the king, it seems, had more confidence than in that of Friar Diogo da Silva. But, without refusing to obey, the chief inquisitor called the attention of the monarch to the possibility of that outrage being the work of the enemies of the converts, and to the necessity

⁶⁸ Letter of Dom Pedro Mascarenhas to the king, from Rome, February 27, 1539, in "Corpo Chronologico," Part 1, M. 64, No. 36.

⁶⁹ Letter of Sebastião de Vargas to the king, dated at Mequinez, in April, in which it is said that many New-Christians were passing by the rivers of Mamora, Larache, and Salé to the country of the Moors, leaving their goods with persons who later passed them along.—"Corpo Chronologico," Part 1, M. 64, No. 86.

of acting prudently in such a case.⁷⁰ While conceding the powers requested of him, the bishop of Ceuta ventured to do so with such limitations as he regarded as convenient, although a more ample authority had been requested. The investigations made were conducted with dexterity, and they finally succeeded in discovering the culprit. He was a New-Christian, whom no one had regarded as such up to that time. At least that is what was said. On being taken to the Inquisition prison, he confessed to being the author of the writings in question and of the doctrines of which he was convinced, but insisted constantly that he alone had committed the crime. They sought to convince him of his error; but against his tenacity all arguments and persuasions were in vain. When convicted in the lower court, he refused to appeal to the general council of the Inquisition. He was either a fanatic or a martyr. Turned over to the secular judges and put to torture (which the Inquisition had not done) in order to find out whether he really had accomplices, his spirit broke down. He denied to his last breath that there was anyone associated with him in the perpetration of the crime, but he acknowledged that he had been deluded by a vain belief. Just as he hoped for the Messiah, so he counted on insensibility in the midst of the cruellest tortures, and pain convinced him of the vanity of his illusions. But the light which finally illuminated his mind came too late to save him from the vindictiveness of men. He perished in the flames, and those who were with him in the last agonies say that he died a repentant Christian.⁷¹

The circumstances of this affair are worthy of attention, for they confirm all the other evidences of the comparative moderation with which the tribunal of faith acted during the early days of its re-establishment, and show that this moderation was due, in large part at least, to the character of the chief inquisitor. His suspicions in regard to the possibility of there being in those blasphemous utterances some diabolical scheme to stir up the persecutions of the Jews not only prove that Friar Diogo da Silva was not a fanatic, but they also show that, as supreme judge of the tribunal of faith, he knew from experience of the calumnies and devices invented for the purpose of getting New-Christians condemned. We see, too, that the miserable Jew, charged with public blasphemy against

⁷⁰ "It is very necessary to look at the intention with which such writings were posted, whether perchance it was done to stir up the feelings of Your Highness and your officials and those of the Holy Father against the New-Christians, and by persons of little prudence, or whether it was done by heretics."—Letter of the bishop of Ceuta to the king, February 21; *Cartas Missivas*, M. 3, No. 61, in the National Archives.

⁷¹ Letter of the bishop of Ceuta, already quoted; draft of the letter of Dom João III to Pedro de Mascarenhas, March, 1539, in the original correspondence of Dom Pedro de Mascarenhas in the Ajuda Library.

Christianity and the victim of his own blindness, was tortured for the purpose of disclosing his supposed accomplices only after he was delivered to the secular authorities, signal evidence that, whether due to the influence of the nuncio or to that of the chief inquisitor, or, what is more probable, to that of both of them, the acts of the Inquisition at that period were not marked by excessive cruelty. Refusing finally to grant the bishop of Porto⁷² the ample powers asked for by the king, Friar Diogo da Silva gave still another record of his tolerance by showing that he was afraid of this man, whom we shall subsequently see figuring as one of the most ardent champions of inquisitorial severities.

But a tolerant and enlightened inquisitor-general, a nuncio who, for whatever motives, placed obstacles in the way of the final condemnation of those charged with the crime of Judaism, and, finally a tribunal, whose vaults did not constantly re-echo the shrieks of the tortured, and where the *strappado* and the rack lay forgotten in the dust, were monstrous things in the eyes of the fanatics, especially after the notorious doings that had scandalized and irritated the people of the capital. Two steps were urgently needed. One was to obtain from the pope greater liberty for the free action of the inquisitors by restricting the action of the apostolic legate, and the other was to substitute an inquisitor-general who was lacking in energy by one who was not touched by sentiments of piety, nor too scrupulous in observing the precepts of evangelical charity and tolerance. For the first point it was recommended to Dom Pedro Mascarenhas that he should work for the necessary exemptions.⁷³ To realize the second was easier. As the bull of May 23, 1536, authorized the king to choose a fourth inquisitor-general besides the three, bishop of Ceuta, Lamego, and Coimbra, and as only the first one had exercised this office, there was nothing further necessary than to put at the head of the Inquisition in his place, a person who could be better trusted and of a more elastic conscience. And that is what was done. Alleging his advanced age and poor health, and the necessity of administering the little diocese of Olivença, Friar Diogo da Silva asked to be replaced by a person more able than he to perform the duties of inquisitor-general. This request was evidently the result of a royal hint;⁷⁴ for the bishop of Ceuta was shortly thereafter appointed archbishop of Braga, a position more laborious than

⁷² He was Dom Friar Balthazar Limpo.

⁷³ Draft of the letter of March 19, already cited; letter of Dom Pedro Mascarenhas, of June 20 and 21, 1539, *loc. cit.*, folios 93 v. and 95.

⁷⁴ The bishop of Ceuta himself gives it to be understood in the letter to the king, dated June 10 (Collection of the Bulls of the Inquisition, folio 9), saying that he asked to be relieved "on account of my age . . . and frail disposition . . . and for other and just reasons; as well as because it seems to me that I am serving Your Highness in reminding you of this."

the one from which he was relieved. The post was then filled by the infante, Dom Henrique, brother of the king, a youth of twenty-seven years, who, at the age of fourteen, had been made prior of Santa Cruz of Coimbra, and at twenty-two metropolitan of Braga; so well did the hypocrisy of the times understand how to reconcile the demonstrations of religious zeal with the breaking of all the laws of decency and of ecclesiastical discipline. The infante was chosen to succeed the bishop of Ceuta and to revive the Inquisition from a lethargy that was out of keeping with the spirit and purposes for which it had been created.⁷⁵ As Dom João III could not himself exercise the office of supreme inquisitor, he showed his good intentions at least by appointing to the office a member of his own family.⁷⁶

The anger of the king at the blasphemies posted on the church doors in Lisbon had been legitimate, and the punishment of the culprit just, though the torture and the atrocious death inflicted upon him are repugnant to humanity. But the replacing of a respectable old man by a youth still at the age of violent passions, to hold the awful post of chief inquisitor, was a blameworthy manifestation of fanaticism. The selection of Dom Henrique did violence to the maxim of canonical law which required that an appointee, to exercise such a function, must be at least forty years old, and was an evasion of the intentions of the pope, who, in appointing as general inquisitors under the bull of May 23, three of the most notable prelates of Portugal, and leaving to the king the choice of a fourth one, certainly did not wish that, when only one of them could be chief inquisitor, preference should be given to the royal appointment over the three others, a matter the more scandalous when it was known that the bishop of Ceuta had been appointed in the first instance in order to give guarantees of impartiality to the New-Christians, and that the almost beardless archbishop of Braga was counted among the persons most opposed to them.⁷⁷

Upon the appointment of the infante as chief inquisitor, orders were sent to Dom Pedro Mascarenhas to report the fact to the pontiff, giving the reasons, or rather the pretexts, therefor. In the opinion of the court of Lisbon, so far from there being any need for the New-Christians to

⁷⁵ Royal letter of June 22, 1539, in the Collection, folio 9 v. *et seq.*; Sousa, *Historia Genealogica*, Vol. III, pp. 265 *et seq.*

⁷⁶ "Lest it be thought that this is our own invective, here is what Dom João III himself said of it: "If this office (of chief inquisitor) had been for a secular prince, with much pleasure had I employed myself in it."—Draft of the letter to Dom Pedro Mascarenhas in Drawer 13, M. 8, No. 6, in the National Archives.

⁷⁷ " . . . ut clarius loquamur . . . "—" . . . to speak more plainly, that he is looked upon with the greatest suspicion by the New-Christians themselves."—" *Informatio quod infante Dom Henricus*," etc.—" *Symmicta Lusitana*, Vol. XXXII, folio 185.

fear a revival of persecution, the young archbishop, while he was going to re-establish a proper severity for the wicked, was, on account of his virtues and his high rank, the guarantor of peace and security for the good. This appointment, however, rendered yet more urgent the necessity of freeing the hands of the Inquisition, and especially of withdrawing the power of final revision granted to the nuncio, for it would be absurd to have anyone in Portugal who could alter the decisions of the chief inquisitor, a brother of the monarch himself and a person who was considered the primate of the entire peninsula. The better to establish his pretensions, the king sent the ambassador, for presentation to the pope, a detailed report of the attacks upon the faith that the New-Christians were committing. But either because these facts were pure inventions, or because, as the king stated, the converts had been betrayed and denounced by some of their own brethren whose treason it was not convenient to have suspected or made known, it is certain that Dom Pedro Mascarenhas was requested to ask the pontiff to regard those revelations as an inviolable secret, and he was directed to tear up the notes relating to the subject as soon as they had been communicated.⁷⁸

The Portuguese agent at Rome had great difficulties to deal with, partly because the curia showed a decided disposition to favor the New-Christians, and partly for other reasons. The pope was irritated by the opposition and by the trickery employed by the court of Portugal for the purpose of evading the collection of the two tithes from the ecclesiastical rents, or at least for the purpose of getting a share of the booty.⁷⁹ On the other hand, after the appointment of the chief inquisitor, it was foreseen and calculated that there would be a conflict with the nuncio which would afford a plausible reason for his expulsion,⁸⁰ and Capodiferro could not ignore the fact, nor could it fail to increase the irritation of his court when it was forewarned against Dom Henrique. Meanwhile, though a person of little learning, Dom Pedro Mascarenhas was a man of superior intelligence who had a comprehensive knowledge of affairs and of men, and he knew how to conduct successfully the struggle in which he was engaged. By nature he seems to have been upright and unselfish, and he had that characteristic of certain statesmen which enables them, when occupying

⁷⁸ Draft of a letter to Dom Pedro Mascarenhas in Drawer 13, M. 8, No. 6.

⁷⁹ This complicated negotiation, of which we shall have to speak later on, occupied the ambassador Mascarenhas almost exclusively during the first six months of 1539, for his skilful efforts were partly frustrated by the bungling of the ministers of Dom João III. Consult his curious correspondence, a large part of which is in the Ajuda Library, and some letters in the Torre do Tombo.

⁸⁰ "This choice of the infante except with him the better to put the nuncio out of this kingdom."—Letter of Dom Pedro Mascarenhas of September 21, 1539, in his original correspondence, folios 132 *v.* and 133.

eminent positions, and in the midst of perverted times and social conditions, to make use of corruption to gain their ends without becoming corrupt themselves; statesmen whose sad and supreme belief must be a profound contempt for the human race. He had already lived long enough in Rome to have a clear idea of the pontifical curia, and his impression of it was highly unfavorable. In his opinion, in order to do business with Paul III, there was no way but to make him believe that he was the gainer in the transaction,⁸¹ and for that reason he had advised the king, in regard to the tithes, to put no obstacle in the way of an extortion that affected only the clergy, so long as part of the booty should go to the exchequer, a policy that had been adopted, though the transaction was never concluded, as we shall see, with all the conditions desired by the ambassador.⁸² He had understood also from the first that it would be impossible to deprive the nuncio of the right of revision of Inquisition trials, because it was a very remunerative prerogative, and that the pope would not give it up save for still larger gains.⁸³ His rule for foretelling the issue of negotiations in Rome was to find out who would give most. Gifted with the power of reading faces, a talent so often useful in life to those who possess it, he saw in the countenance of the pope qualities of spirit that profoundly disgusted him; but even in that very repugnance he found an incentive always to be on his guard in matters in which he had to deal with him.⁸⁴ Believing that where venality ruled, only corruption could win, he got from his court the means for corruption, and he used those means just as he used others. He attempted everything with everybody. Not even the reputation of Simonetta himself, whose strict probity seemed to forbid all hope of success, caused him to hesitate. Possibly he did not believe in it.

⁸¹ "Everything that Your Highness wants to put through with this pope must be done by furthering his interests."—Letter of Dom Pedro Mascarenhas, of June 21, in the "Original Correspondence," folio 93.

⁸² "Everything will be done so long as it does not interfere with his interest. And, Your Highness, let your godson take whatever part he likes of your godfather's loaf, so long as your own is not smaller, and don't be more merciful to the church treasury than is its owner, the universal vicar."—*Ibid.*

⁸³ "... taking away from the nuncio the right of having anything to do with it (the Inquisition); which can not be done while the nuncio is there in the kingdom during the lifetime of this pope, for his interest lies there, and he will not let it go except for another one or a greater."—*Ibid.*

⁸⁴ "(The pope) will keep the first that he has made by the *agreement* that he has received, *unless there should be another larger bid than mine.*"—*Ibid.*, folio 101 v.—"With this I send Your Highness a medal, on which the pope is well represented, that you may see the physiognomy of this prince with whom you are dealing, the hope he holds out, and how much reason I have for desiring that Your Highness shall use me in some other service, however laborious it may be, and that you take me away from this one in which I cannot serve without sickness of soul and body."—*Ibid.*

The influence of this prelate and that of Ghinucci was what he most feared. The thing for him to do was to buy them. Having received the necessary funds from Lisbon, he tempted Simonetta, through Santiquatro. The offer was repelled by the poor old man, but he waited, confident that some pressing need would cause him to repent his honesty. He did not wait long. In pecuniary straits, Simonetta regretted having lost the spontaneous offer of the ambassador; but the offer was soon renewed, through another channel, and was then accepted. There is something infernal in the ironical apologies with which Dom Pedro Mascarenhas narrates to his chief the prostitution of those gray hairs. "Among the cardinals," says he, "Simonetta was regarded as the most upright in the administration of justice. As such, the pope put him in the place he now occupies; as such he consults him and Ghinucci regarding all matters more or less grave. Such was the trouble I had with him. What he did is not looked upon in Rome as wickedness, nor is it thought strange, for it is the custom of the country. I am not surprised, therefore, at the favor enjoyed here by Duarte da Paz, seeing that he gave them to eat so many *cruzados* and *portugueses*."⁸⁵ After referring to the sad victory he had won, he announced others more or less easy to gain. "I am working," he went on to say, "to mollify Ghinucci, not to serve me, but that he may not hinder me. He is more amenable, and there is no lack of promises. If he could be induced to swallow a few *cruzados*, it would be a good service for Your Highness. I do not despair of it, for I know the ways of Rome. I have begun to sample the two thousand *cruzados* that Your Highness had sent me for such operations, and I do not believe the expense will bring me in a bad crop, or that it will damn me hereafter. Your Highness may trust my evil conscience, believing that I am less sparing with my own money than I am with that of the royal treasury."⁸⁶ With such an agent as this, the business of the Inquisition would have gained much at that juncture if, as we have said, the question of the two tithes had not occupied the attention of Dom Pedro Mascarenhas almost entirely, and if it had not been so repugnant to him, as is seen from his correspondence, to have to do with a matter complicated with endless debates which his judgment must have condemned, though he did not dare to show his disapproval.

The chief purpose, or at least one of the chief purposes, for which the infante had been put at the head of the tribunal of faith had been, as we

⁸⁵ The *portugues* was a gold coin of that period.

⁸⁶ Letter of Dom Pedro Mascarenhas of June 25, 1539, in the "Original Correspondence," folio 104 v. In a later letter of December 2, 1539, in speaking of the death of Simonetta, the ambassador manifests his grief, adding this singular remark: "And the worst of it was for Your Highness to lose that servant who was already bought for you."—*Ibid.*, folio 199 v.

have seen, to serve as a pretext for the collisions that would make the removal of Capodiferro necessary. As soon as he was invested with the dignity of chief inquisitor, Dom Henrique appointed new members to the council of the Inquisition. These were Ruy Gomes Pinheiro, afterward bishop of Angra, and the Augustinian Friar João Soares, also later elevated to the episcopal chair of Coimbra.⁸⁷ The choice of Friar João Soares was a defiance immediately thrown to the nuncio, or rather to the court of Rome, where that friar was in bad odor. In the instructions given by the order of Paul III to one of the successors of Gerolamo Recanati, the character, opinions, and customs of the new member of the council are described in a manner not altogether flattering. "The confessor of the king," he there says, "is a friar of little instruction, but of great boldness, and extremely ambitious. His opinions are of the worst, and he is a declared enemy of the apostolic see, of which he does not hesitate to boast, like the arrant heretic he is. Everybody knows him as such, except the king, out of dread of whom, and because, under pretext of confession, he obtains the solution of many matters, everybody treats him with consideration. He is a dangerous man, and of dissolute life. The king's palace is his convent."⁸⁸ Dr. João de Mello, one of the first members of the council appointed by the bishop of Ceuta, and who more than once had taken the place of the inquisitor-general when the latter was incapacitated, was then delegate of the Inquisition at Lisbon. A permanent Inquisition having been immediately created by the infante in the capital, João de Mello, who was distinguished by his intolerant spirit, of which he continued to show proofs, was placed at the head of the new tribunal. This appointment struck especially at Capodiferro, for at that juncture a certain event, perhaps arranged beforehand for the purpose, had caused the breaking out of hostilities between the inquisitor and the nuncio.

Ayres Vaz was a physician of the court. He was a New-Christian,⁸⁹ whose brother Salvador Vaz had become a page in the service of Gerolamo Recanati shortly after the latter's arrival at Lisbon. The nuncio had become very fond of the page, and both the father and brother of the young Salvador had come to be intimate friends of Capodiferro. Ayres Vaz did

⁸⁷ Sousa, "De Origine Inquisitionis," p. 13. Ruy Gomes and Friar João Soares really took the titles of "council and deputies of the Holy Inquisition" on August 22, 1539.—Trial of Ayres Vaz, *Processos da Inquisição de Lisboa*, No. 17:749, in the National Archives.

⁸⁸ "Instruzione data al Coadjutore de Bergamo," *Symmicta Lusitana*, Vol. XII, pp. 42 *et seq.*

⁸⁹ Neither the trial of Ayres Vaz nor the diplomatic documents relating to this question state that he was a New-Christian. It appears, however, that he was such from a letter of Dom Christovam de Castro, folio 280 of the Original Correspondence of Dom Pedro Mascarenhas.

not confine his studies to medicine, but he had devoted himself also to astronomy, a science whose followers at that time easily fell into the absurdities of astrology, and Ayres Vaz allowed himself to be taken with the mania for prophesy. Throughout Europe astrology was generally regarded as a serious matter. In Rome, more than anywhere else, this superstition was rampant, and according to the expressive phrase of a contemporary writer, a cardinal rarely ever bought a load of firewood without consulting astrologers and wizards. The pope himself had implicit faith in the influence of the heavenly bodies and in the predictions of astrologers.⁹⁰ Ayres Vaz began by making predictions to the queen, Doña Catharina; then, going still higher, he made political predictions to the king. Among other things, on the occasion of an eclipse, he had prophesied the death of a prince, and the prophecy had been fulfilled in the death of the older of the two sons remaining to Dom João III of all he had had up to that time.⁹¹ In offering the monarch new predictions, Ayres Vaz, who was probably looked upon with some displeasure on account of the sad prediction of the death of the prince, announced prosperous events, but he confessed that the inferences drawn from the aspects of the stars were not absolutely certain; because God, the secrets of whose mind it is not given man to read, often annulled the sidereal influences. With this corrective, the astrological predictions might be and were folly, but not impiety. Meanwhile a copy of a paper upon such subjects, addressed to the king by the poor physician, fell into the hands of the inquisitor, João de Mello. On being called by the latter before his tribunal, Ayres Vaz confessed to being the author of the writing, although some sentences that were not his had been introduced into it. The inquisitor set a day on which he was to come to defend himself against the crime of heresy he had committed. At the appointed time Ayres Vaz appeared in the tribunal, surrounded by books, and ready to show the scientific bases of his predictions and the orthodoxy of his opinions. The first part of the undertaking was difficult, but the second part was easy, for he had left everything to the inscrutable decrees of Providence, and he could invoke the example of the supreme head of the church in his own defense. But suddenly an apostolic notary entered the room, and, interrupting the solemnity of the proceedings, handed a paper to the inquisitor. It was a summons by which the nuncio required the case to be called before him personally, and it directed that the inquisitor should come to aid him, bringing with him the theologians who were to dispute with Ayres Vaz, among whom was Friar João Soares. The astrologer had prepared this outcome, but the notary

⁹⁰ Ranke, *Die Roemischen Paepste*, 1 Band, 3 Band (Paul III).

⁹¹ Prince Dom Philippe, died April 29, 1539, at the age of six years.

had anticipated the hour. The physician intended first of all to read the theologians a severe lesson. But he had to withdraw, for the inquisitor, who had other things in view, pretended to obey without resisting the precepts of the apostolic legate.⁹²

These things happened about the middle of June, when the appointment of the infante in place of the bishop of Ceuta was already decided upon. By this means João de Mello was counting on getting his own way. This was the first step toward putting him at the head of the Inquisition at Lisbon; but his pride wanted his success more complete. To the documents of the interrupted trial were added the protests of the theologians Master Olmedo, Friar João Soares, Friar Jeronymo de Padilha, Friar Luiz de Montoia, and Friar Francisco da Villa-Franca. They were all friars of more or less influence at the court. The writing had been unanimously pronounced by them heretical. When the infante was invested with his new magistracy, one of his first acts was to order the imprisonment of Ayres Vaz, whom the officers of the cardinal, Dom Affonso, archbishop of Lisbon, put in the dungeon of Aljube.⁹³ The struggle was begun. The nuncio, who had vainly tried to prevent the imprisonment, ordered notice sent to the infante, Dom Henrique, to hand over the case to him, and to Cardinal Dom Affonso to set the prisoner free; but the syndic of the Inquisition suspected the nuncio, and this the latter resented. Though he called the infante a false inquisitor, the infante appealed to the Holy See, and Capodiferro rejected the appeal. Texts of canonical law and of attorneys filled the air.⁹⁴ It was a drama, the ridiculous features of which were tempered only by the terrible prospect of fire for the poor astrologer, if, in the conflict between the agent of the pope and the infantes, the latter, who had material force on their side, should not yield to threats of interdict, a thing not likely to happen, especially in view of the fact that the purpose of the appointment of Dom Henrique had been to bring about a scandal that would result in the departure of Recanati.

And the scandal was made use of. The king, whom fanaticism made the blind tool of these shameful contests, wrote a letter to his minister in Rome, telling him to demand from the pope satisfaction for the infantes, a relief which was to consist in the recall of the nuncio. The story of the event, as may be supposed, was exaggerated in that letter, and the facts were represented in somber colors. Dom João III complained especially of Capodiferro's having acted in the case without having notified him,

⁹² These details are taken from the original trial of Ayres Vaz, Nos. 13:186 and 17:749 of the "Trials of the Inquisition of Lisbon," *loc. cit.*

⁹³ [The Aljube is a prison in Lisbon.—Tr.]

⁹⁴ Trial of Ayres Vaz, *loc. cit.*

and of his having officially prohibited the infante from exercising his office, denying the legitimacy of an appointment by himself the king. He directed Dom Pedro to say to the pope, as a warning from himself, that unless he withdrew the nuncio, he would have to be expelled to prevent a popular uprising; and finally, breaking a silence that Dom João III said he had maintained out of an excess of regard for the pontiff, he accused the apostolic delegate of all kinds of corruption, and of bringing contempt upon the court of Rome by his immoral conduct in Lisbon.⁹⁵

Such was the state matters had reached; such were the sad consequences of the errors committed by an ignorant and fanatical prince, dominated by friars and hypocrites, and who accepted it as the chief duty of a king to persecute the richest and most industrious part of his own subjects, while swallowing affronts, ruining the country, opening the way for all kinds of immoralities, calumniating Christianity, and disobeying the precepts of evangelical tolerance and charity. If Capodiferro, moved by blind passions, had treated the two prelates and princes with disrespect, had he not already, moved by passions equally ignoble, disgraced the episcopacy by soliciting the Inquisition, a tribunal which, though a true pontifical appointment, abridged the authority of the bishops in their most important functions? The source from which the power of the inquisitor-general came was the same as that from which the nuncio received his. If the bull of May 23, 1536, gave to the first the superior magistracy in the trial of those who blundered in matters of faith, the brief of January 9, 1537, and the official instructions that had been given him when he came to Portugal authorized the latter to proceed as he had done and even to go farther. He may have been violent and discourteous, but he had not exceeded his right; and if the royal dignity had been indirectly humiliated in that conflict, Dom João III could blame only himself, for it was he who had prepared the elements of so much trouble.

But if the king left the settlement of the contest to the Roman curia, the nuncio did not forget to arrange his own defense advantageously. The messenger by whom he sent the documents that favored him arrived six days ahead of the post sent by the court of Lisbon. Thus the two protectors of Capodiferro, Cardinal Farnese and his mentor, the secretary of Paul III, Marcello Cervino, bishop of Neocastro (afterward elevated to the pontificate under the name of Marcello II), were able to inform themselves of everything and to be prepared for the struggle before Dom Pedro Mascarenhas had received the news of what had happened and the instructions that had been sent him. Marcello and Farnese were sold to Capo-

⁹⁵ Draft of a letter to Dom Pedro Mascarenhas, without date.—“Original Correspondence,” folios 67 *v. et seq.*

diferro, who shared his booty with them,⁹⁶ and therefore put the business before the pope in a light unfavorable to the king and his brothers. But they had a difficult adversary to contend with. Dom Pedro, on receiving from Paul III an official report regarding the case, obtained through Ghinucci (who, to use his own expressive phrase, seems already to have been *tamed*) a copy of the documents sent by Girolamo Riconati, and with these he prepared for the combat. The ones sent by the king soon arrived, and, while they were in general like those of the nuncio, were more complete. After having consulted skilful attorneys, the ambassador requested an audience with the pope. He counted on opposition and he went prepared to meet it with cunning. Dom Pedro did not speak Italian, and for this reason the pope had a certain advantage in the diplomatic discussions. When it suited him, he understood Portuguese, but when it did not suit him he did not. On the other hand, though the ambassador might recall his words on some former occasion, if he had changed his opinion he made use of Dom Pedro's ignorance to show that he had misunderstood, and that he had not said such a thing. Against this bad faith the minister adopted the expedient of presenting the more serious matters written out in Italian, under the pretext of not obliging him to decipher the Portuguese. In this way he remedied the matter in part. Those parts of the king's letter that were to be presented to the pontiff he took thus translated. On coming before him, he found Farnese and Marcello present, a new circumstance in such audiences. The pope hastened to explain it to him. They were the ones who had to deal with the subject, and in this way they would be informed about it from the outset. Convinced that they meant to confuse him, the Portuguese minister dissembled, thanking the pope for his desire to hasten the business and requesting him to make Farnese himself the judge of the contest, since, being both a prelate and a prince, he could not fail to understand the respect with which it was necessary that such princes and prelates as the infantes of Portugal should be treated. The original and the translation of the letter of the king were then presented, and when the translation was read by Marcello, the pope observed that the whole question might be summed up in two points: a request that the nuncio be recalled, and an enumeration of his errors. In regard to the first, the solution was easy, because he held it as a rule not to keep at any court an agent who was not acceptable to the sovereign concerned; but in regard to the second, it was necessary to understand the procedure of Capodiferro, for the form of the recall depended upon that.

⁹⁶ "By Farnese and by Marcello whom he (Capodiferro) has bought with his presents."—Letter of Dom Pedro Mascarenhas to the king, September 10, 1539; "Original Correspondence"; folios 243 *et seq.*

He was to be honored if he were innocent, or punished if he were guilty. And he added that the persons he had directed to look into the question, and to examine the documents sent by the nuncio, found that he had reasons for being offended by the disobedience of the infantes, since as ecclesiastics they were under more obligation to respect the pontiff than the sovereign; that in not recognizing Dom Henrique as chief inquisitor, in view of his not being of proper age, the nuncio was in the right; and so long as he was not, neither he, the pope, nor the king should consent to the infante's filling that office; the king because, as the one who had asked for the establishment of the Inquisition, it was not becoming for him to appoint his own brother judge of cases in which he was interested; he, the pope, because he had to account to God and to the world for the concession of that tribunal. The pope concluded by stating that, if the ambassador had other charges against Girolamo Riconati, he present them in writing so that they might be verified and the nuncio punished in case he were guilty.⁹⁷

The remarks of Paul III were at once both reasonable and shrewd. He showed that he was ready to recall Capodiferro; but inasmuch as the latter was accused, it was necessary to make sure of the truth of the accusations. Otherwise it would be difficult to find a way to recall him. The prompt acquiescence of the pontiff in the wishes of the court of Portugal thus amounted to nothing more than vain words so long as the question of culpability was not settled. By making an official accusation against the nuncio, Dom João III had involved himself in a maze of interminable discussions.

But in spite of the advantageous position taken by the pope, the ambassador fought his objections with skill. He reminded him that the appointment of the infante had virtually received the pontifical approval when the fact had been communicated to him only a little while before; for when, at the same time, he, the ambassador, had asked that the right of revision to be taken away from the nuncio, so that he would not outrank the infante, and that certain obscure points in the bull of May 23 be made clear, His Holiness had limited himself by replying that he would transmit to Ghinucci, Simonetta, and Santiquatro, who made up the commission entrusted with the business, the instructions regarding the changes asked for, declaring to him that, as the nuncio was his representative, there would be no impropriety in the infante's recognizing his superiority, and that it was necessary for the present for the New-Christians to be persuaded that they had someone to appeal to against the inquisitors; that, in using such language, His Holiness had virtually approved of the ap-

⁹⁷ "Original Correspondence," *loc. cit.*

pointment. As he understood it, the infantes had shown all respect to the apostolic see, overlooking the insolence of Capodiferro, who, owing to his unbridled passion, had shown himself unworthy of the office he filled, and he maintained that the recall should be made independently of the trial. Making some biting allusions to the corruption of the pontifical ministers, he unmasked Marcello and Farnese, proving by the contradictory declarations of the two that not even the very documents themselves that had been sent by the nuncio had been presented, save in extract, to the attorneys to whom Paul III had entrusted the judicial examination of the matter, and, adding irony to his reproaches, he asked Marcello whether the extract had been made and translated by the attorney of the New-Christians, through whose intervention the court of Rome had received the papers sent by his representative in Lisbon. Thus passing from defense to attack, he compelled the pope to exhibit his anger against Marcello and Farnese, ordering them to turn over the examination of the matter to Cardinals Ghinucci and Del Monte, having the documents from Portugal translated by whomsoever the ambassador might choose. Meanwhile, in the question of the infante's being chief inquisitor, he denied that his words had meant the approval of a fact that he regarded as odious, although Dom Pedro Mascarenhas maintained the validity of the appointment and foresaw fatal consequences from the wrath of the king. As for the recall of the nuncio, he declared that if Dom João III should insist upon it, time being allowed to choose a successor, he would withdraw him, but without any demonstrations of disapproval unless he were found to be guilty. The pontiff, who was at first staggered by the aggressiveness of the ambassador, gradually recovered himself and ended with some grave recriminations. What the king did not want was that he should have a nuncio in Portugal; that he had not rested until he got rid of Sinigaglia, and that he had put obstacles in the way of his sending Capodiferro. He declared, however, that if that were what he was now after it would be better to speak plainly; but that it should be remembered that when the Holy See sent delegates to Catholic countries, it was for the better service of the church, and to spare the people the inconvenience and expense of going to Rome to ask for decisions and apostolic favors which they so often needed.⁹⁸

This wrathful explosion on the part of the pope gave Dom Pedro Mascarenhas the opportunity to tell him some disagreeable truths. And he was not the man to miss it. Whether because he was really pained by the severe language of the supreme pastor regarding the intentions of his sovereign, or because it suited him to pretend so, the ambassador repelled with

⁹⁸ *Ibid.*

a show of indignation the idea of the king's having any concealed ideas concerning the nuncios, or any personal ill will whatever against Girolamo Ricensati. But when, said he, the court of Portugal objected to a permanent nunciature in the country it was not to be wondered at, for there were two reasons for that objection. The first was that the nunciature was a new and unusual thing: the second was the bad conduct of the representatives of the Holy See. Formerly the popes had sent only extraordinary legates in urgent cases. Clement VII was the one who had appointed a resident nuncio, Dom Martinho de Portugal. But he, at least, was a Portuguese. Afterward Sinigaglia had come, but rather as the collector of the *annates* due from the churches than as nuncio. Protracting his residence until the death of Clement VII, Marco della Rovere had retired only when he was replaced by Capodiferro. In the opinion of the ambassador the history of the nunciature in Portugal was an unsavory one. Sinigaglia, by abusing the powers with which he was invested, had been a genuine tyrant, and the dead pope would certainly have punished him if he had lived, or the country would have expelled him. Capodiferro had followed the example of his predecessor; but finding the road open, he had got on more rapidly until he had reached the point of insulting the royal family.⁹⁹ In his opinion, the nuncios were the plague of the kingdom; for they were an offense to justice, they ruined fortunes, and they corrupted religion. It was enough to note that three-fourths of the people of importance in Portugal might be considered as members of the ecclesiastical body, some as priests, others as clergymen in minor orders, and still others as commanders of the military orders. In fact the jurisdiction of the nuncio reached everybody and everything, "in whom," the Portuguese minister observed, "with a little work and money we find protection for our sins, and trusting to that, and to the easy exemption from punishment, malefactors venture to commit still greater crimes." If the pontiff should continue to send these permanent delegates, he would advise him as a Christian (for as such as he was speaking, and not as an ambassador) to be very strict in his selections, so that his representatives should think more of the service of the church than of getting rich, as they had done thus far. Even so, he affirmed, if any nuncio were kept in Portugal for six months, however virtuous he might be, he would become as bad as his predecessors, especially if he had the right to revise the trials of the

⁹⁹ " . . . in which (two years) he so conducted himself in his office by tyrannizing over this kingdom with his powers that, if the pope had lived longer, not only would he have recalled him, but would have punished him as his misdeeds merited, or the same country could not endure him there, and that this one whom Your Holiness now has there will follow in the footsteps of his predecessor, save that on account of his finding the road clear he will get along more rapidly."—*Ibid.*

tribunal of faith. The receipts of the nunciature therefrom were so great, and the liberality of the New-Christians was such, that not only men, but the very stones, were corrupted. "A proof of this," the ambassador maliciously added, "Your Highness had in the favor enjoyed by the attorney of the converts in Rome, from which one can conjecture the influence that these same converts exercise over the nuncio in Portugal, where they were so close to him, and where he was so far from the pope, upon whom the infamy of all these abuses falls, while the profits go to his delegates."¹⁰⁰

The boldness with which Dom Pedro had spoken produced the desired effect. Paul III put himself on the defensive. He regretted that such things should be practiced, promised that they should be attended to, and wondered that, in the midst of so many irregularities, there had been no one to make complaint to Rome. The reply of the ambassador, however, was peremptory. No one complained because it was the general conviction that any representations addressed to the Roman curia about the matter would be useless. And so matters would have continued indefinitely if the nuncio had not been so imprudent as to get into a contest with the *infantes*, thereby arousing the animosity of the king.¹⁰¹ It was a sad confession that Dom Pedro Mascarenhas was making. The court of Portugal had tolerated the excesses and prevarications of Capodiferro, and would have continued to bear with them if a question of wounded pride had not recalled it, though somewhat late, to a realization of its own duty and to its zeal for morality and justice.

After this stormy audience, Paul III left for Tivoli and Frascati, whence he returned to Rome only on September 5, going on to Loreto four days later. Meanwhile, the question of the nuncio and of the *infantes* was being discussed by cardinals Ghinucci and Del Monte and the advocates chosen by the ambassador to uphold the cause of the princes. If the facts alleged by Capodiferro in his reports were true, he had not insulted them in using a right which was also his duty, nor had he failed to show respect to the sovereign and to his brothers; he had sent to ask Dom João beforehand, through one of his own favorites to whose testimony he appealed, that they would not compel him to make use of the powers that had been given him. The discussion was drawn out by these and other circumstances, and the ambassador had not been able to arrange a new audience during the four days of the pope's stay in Rome. But with characteristic audacity Dom Pedro Mascarenhas finally, late at night and almost by force, got into the sacred palace a few hours before the pope's departure for Loreto. He was convinced that the objection of the pontiff to hearing

¹⁰⁰ *Ibid.*

¹⁰¹ *Ibid.*

him came from his wishing to avoid the recall of the nuncio as long as possible, and he complained bitterly of the lack of consideration with which the most urgent affairs of the king, his master, were set aside. The indignation of Paul III at the intrusion of the ambassador changed to explanations and excuses. He wished then to convince him of the propriety of remaining in Rome until he had recovered from an illness from which he was suffering; but Dom Pedro Mascarenhas remembered just then a promise he had made of a pilgrimage to the sanctuary at Loreto, a promise for the fulfilment of which he found this a propitious opportunity. The pope put on the mask of benevolence: while he put on that of devotion. They finally came to an agreement. Dom Pedro would remain in Rome another day in order to see certain notes which Ghinucci and Del Monte would send him regarding the reform of the Inquisition, and he would then go to meet the pope at Viterbo, where Santiquatro would also be, and whence a courier would be sent to Portugal with the decisions that might be reached.¹⁰²

Considering the astuteness of the court of Rome, one might suspect that the communications of Ghinucci and Del Monte mentioned were a means resorted to for embarrassing the ambassador by diverting his attention to a matter no less important than the recall of the nuncio, besides being complex and difficult. But it is more probable that the protectors of the converts were urging the modifications of the bull of May 23, which the converts themselves were asking, before Capodiferro should leave Portugal and they should be delivered helplessly to persecutions of which the change of chief inquisitor was an unmistakable forecast. However that may be, it is certain that the two cardinals duly presented to Dom Pedro Mascarenhas the points on which the pope had decided to act favorably upon the petitions of the New-Christians. The matter having been debated, after it had been examined by the advocates of the crown chosen by the ambassador, the question was reduced to two important resolutions, concerning which the cardinals declared positively that the pope would not yield. The first was that in trials for heresy, the names of the accusing witnesses should be communicated to the defendants, when the latter were not powerful persons. The second was that there should always be recourse from the general council of the Inquisition to the Holy See. Recognizing that all efforts to move Ghinucci and Del Monte were in vain, for they confined themselves to saying that they were merely the interpreters of the decided will of the pontiff, the ambassador asked that at least he be given time to communicate that decision to his court and to receive instructions. But he could not get even that. The cardinals

¹⁰² Letters of Dom Pedro Mascarenhas to the king, cited.

replied to all of Dom Pedro's remarks that they were not authorized to grant such delay, and that the information they had given him on the subject had been purely formal, for the determination arrived at was a matter of conscience to the pontiff, and not a subject for diplomatic controversy.¹⁰³

Meanwhile two urgent causes required Dom Pedro Mascarenhas to attend the conference promised at Viterbo, where he found the pope and met Santiquatro, who had already arrived. There and in Montefiascone and Orvieto, by pressing the pontiff incessantly, he succeeded in getting the draft of the new bull regarding the Inquisition revised by Cardinals Santiquatro and Jacobacio in accord with Del Monte; and though the resolutions adopted were not modified in the conferences, the ambassador succeeded, through his own insistence and with the favor of Santiquatro, in preventing the final dispatch of the declaratory bull before a copy of it had been sent to Dom João III.¹⁰⁴ But this concession was not made without some rather strict conditions. The first of these was the understanding that the three years granted to New-Christians, within which they were to be judged in cases of heresy according to the forms established for the trials of ordinary crimes, were prorogued *in petto* (mentally) at once, in view of the fact that the term set in the bull of May 23, 1539, was about to expire. The second was that the reply of the king must arrive by November 15 without fail, otherwise the declaratory bull would be dispatched. The third consisted in the king's notifying the inquisitors as soon as the letters of the ambassador arrived, that they must not change the form of the trial before the final resolution. The fourth and last was that in case these letters should arrive only after the expiration of the term of three years, if perchance some New-Christian had already been arrested and his trial begun under the ordinary rules of the Inquisition, the trial should be suspended and await the final decision regarding the matter. On the other hand, the three points on which the pope declared that he was firmly determined not to yield were that the infante should be dismissed from the office of chief inquisitor; that appeal to Rome should be positively established; and, finally, that it be established as a rule that the names of accusing witnesses should be communicated to defendants, when the defendants were not persons of power, the pontiff reserving the right to decide who should be included in this category. The ambassador bound himself to enforce compliance with these four conditions under any

¹⁰³ Letter of Dom Pedro Mascarenhas to the king, September 19, 1539.—"Original Correspondence," folio 252. This letter, which is corroded by the ink and difficult to read, as is also that of the tenth of the same month, is given in a fairly clear extract at folio 150 of the codex.

¹⁰⁴ *Ibid.*

penalty the pope might choose to impose. But, in the opinion of Paul III, the surest guarantee of these agreements was the right he had of doing away with the Inquisition if they were not complied with.¹⁰⁵ Meanwhile, in order that the first condition might be effectively realized, care was taken to send a brief to the nuncio, providing that, when the term of three years relating to the order of trial of persons accused of heresy had expired, the same system should continue to be followed until a final agreement had been reached regarding that subject.¹⁰⁶

In communicating these conclusions to the king, Dom Pedro Mascarenhas expressed his own opinion frankly and set forth the true state of affairs. He had done all that was humanly possible to combat the intended declarations. Calm discussion and violent scenes in which both sides stooped to abusive language were equally unavailing with the pope and Del Monte.¹⁰⁷ He did not expect, however, that the considerations sent from Portugal would have any more force than his own and those of the cardinal protector. If, in order not to reveal the names of witnesses, they wished to allege the revenge of New-Christians, it was necessary to prove the danger with facts and not with vague declamations; for the New-Christians were proving with unquestionable documents the persecutions and demonstrations of ill will shown them; and, not content with presenting these documents in the Rota or to the pope, they were making them public through the press. While speaking in high praise of the infante, Dom Henrique, and of the pious intention with which the king had placed him at the head of the tribunal of faith, he, nevertheless, advised that he resign that charge. He was convinced that the pontiff would not cede this point, and this rebuff was the more easily to be borne because of the certainty of the recall of the nuncio, which was the chief purpose of the appointment of the infante. As for the appeals to Rome, he supposed that it would still be possible to have this matter omitted from the declaratory bull, thus leaving the question unsettled, as it had been left on May 23, 1536, without either affirming or denying the right of appeal, especially in view of the fact that it still lacked seven years to complete the term in which confiscations were prohibited, perhaps the gravest of the questions for the converts, and concerning which it would be especially important that they should be able to appeal to Rome. But as for the revelation of

¹⁰⁵ Letter of Dom Pedro Mascarenhas, of September 21, in the "Original Correspondence," folio 181.

¹⁰⁶ Brief to the nuncio, September 22, in the *Symmicta Lusitana*, Vol. XXXI, folio 418 v.

¹⁰⁷ "Never a day passed that Santiquatro and I did not combat with the pope and with Monte in plain language, sometimes getting hard words, and replying in kind."—Letter of Dom Pedro Mascarenhas, of September 21, *loc. cit.*

the names of witnesses, the ambassador promised the king to raise such difficulties with his objections when they undertook to define the powerful and the not powerful defendants, that, in the end, with all kinds of exceptions, they would come to grant quite as much as or even more than was wanted, and almost all New-Christians would be included in the exceptions either directly or indirectly, and consequently the advantages they expected to gain in this respect from the declaratory bull would be annulled.¹⁰⁸

In the midst of these questions regarding the Inquisition's future method of procedure, had they possibly forgotten the disagreements of the nuncio with the *infantes* that had been so warmly debated at first? As soon as the pope acceded to the recall of Girolamo Ricenati, the struggle took on a courteous tone and the necessity of putting on the brow of the apostolic delegate the brand of his corruptions became less urgent. At the same time the pope, who had decided to have the cause of Ayres Vaz judged by the cardinal, Dom Affonso, conjointly with the nuncio, being reminded that it would be impossible to have the two adversaries co-operate in this matter, irritated as they were against each other, had sought the solution of the difficulty by ordering the defendant released on bail, and that he should come to defend himself before the Roman curia. Though the Portuguese minister did not fail to transmit this document to his court, he noted, nevertheless, the inadvisability of consenting to a fact that would set an example for the New-Christians to escape punishment by enabling them to leave Portugal for the purpose of going to Rome. Using a common but energetic metaphor, Dom Pedro Mascarenhas made plain the consequences of a device which the pope regarded or pretended to regard as natural and simple.¹⁰⁹

But an unexpected occurrence was on the point of annulling, or, at least, of retarding the effects of the ambassador's efforts. The important negotiation regarding the two tithes that he had brought to an advantageous conclusion had been upset in Portugal by the clergy, who, with the consent of the civil power, had come to an agreement with the nuncio. We shall not enlarge upon a subject that does not properly belong to this book. It is enough to know that this fact was reported to the Portuguese minister when he had concluded with Paul III a contract by which, in exchange for a compounding or comparatively moderate redemption, that extortion was bought off, or rather the pope ceded to the king the right to turn it to his own use. But the political disadvantage of this unexpected transaction was greater than the economic. Dom Pedro, under explicit

¹⁰⁸ *Ibid.*

¹⁰⁹ " . . . that the bear may not get away from the game beaters."—*Ibid.*

instructions received from Lisbon, had certified to the pope that the king had broken off all diplomatic relations with the nuncio after the affront to his brothers, and had decided not to renew them under any circumstances. But the agreement made in Lisbon regarding the tithes, the contents of which Capodiferro had sent to Rome, solemnly contradicted this statement. On the other hand, the ambassador had already succeeded in having dispatched the brief of revocation, independent of later examinations into the conduct of the apostolic legate; but, in view of the harmony that this fact indicated as now existing between the Portuguese government and the nuncio, the pope was averse to sending the brief, especially as it was necessary to give Recanati time to carry out the arrangements he had made. Such was the difficult situation in which the blunders of the court of Portugal left its minister, whose disgust was manifested in no ambiguous terms in the correspondence relating thereto.¹¹⁰ But with perseverance, helped by the active co-operation of Santiquatro, and having been skilful enough to persuade Paul III that the transaction at Lisbon was not secure, as was that made with him, and that it would probably not yield the advantages expected, Dom Pedro Mascarenhas succeeded in obtaining the acceptance of an average between the two contracts, obliging himself to pay at Rome, within a short period, a sum agreed upon, and arranging that the brief of revocation to the nuncio should be finally dispatched, fixing the term of the latter's departure from Portugal on the first of November, in view of the fact that all plausible prettexts for further delay had disappeared with the final settlements regarding the cancellation of the tithes.¹¹¹

But if the pope made important concessions on the one hand, on the other he tempered the satisfaction of the ambassador with a resolution that thwarted his designs. Though it had been agreed to delay the dispatch of the declaratory bull regarding the Inquisition, it had been done on the supposition that the departure of the nuncio would be delayed until it could be properly decided which side was right in his contest with the infantes, and until his successor could be sent. But now that circumstances had changed, he felt that he was not free to abandon the converts, for aside from the time having arrived in which the guarantees of the ordinary civil process in the Inquisition trials had ceased for them, there was going to leave Lisbon the only man who, through the authority with which he was invested, could effectively protect them from the hatred and unjust perse-

¹¹⁰ See the long letter of Dom Pedro Mascarenhas dated at Perugia the same day as the preceding.—“Original Correspondence,” folios 173 *et seq.*

¹¹¹ Letter of Dom Pedro Mascarenhas, of October 4, in the “Original Correspondence,” folio 193; Letter of Santiquatro, of October 1; *ibid.*, folio 239.

cution of their mortal enemies. On this point Paul III was firm, and the perseverance and insistence of the ambassador and of Santiquatro struggled in vain with his unwavering will. Either they must agree to the retention of the nuncio or to the dispatch of the declaratory bull. He left them to choose between these alternatives.¹¹²

So Dom Pedro Mascarenhas had to yield. While the pontifical document was being drawn up, in which the provisions of the bull of May 23 were explained, and the limits of the action of the inquisitors in relation to the converts were more clearly determined, the Portuguese minister received the sealed package of the correspondence of the pontiff for Capodiferro, which contained the brief of revocation. In forwarding it to Portugal, Dom Pedro Mascarenhas declined all responsibility for the way in which this brief was drawn up, in view of the fact that it was sealed when delivered to him.¹¹³ He was suspicious of everything that came from the court of Rome, and he therefore notified his government that, whatever the wording of the brief might be, the declaration made by the pope that the powers of Recanati as apostolic delegate would come to an end the moment he received it, and that his stay should not go beyond the first of November, had been explicit, and Santiquatro had written down a note about it which he sent. Therefore they should in no case yield to him the smallest act of jurisdiction, nor should they allow him to remain in the kingdom a single day beyond the time fixed. But as for the declaratory bull, he consoled the king not only with the advantages gained by yielding this point, and with the reflection that sooner or later it would be conceded, even though it were objected to now, but also with the hope of its being annulled in the future. In his opinion it was necessary, as he had often suggested before, to send to Rome for the purpose of looking after this matter an able lawyer who should be so well paid that he would not be tempted through the parsimony of the government to receive compensation from the New-Christians. He observed that, inasmuch as the declaratory bull was the result of big bribes that had induced the Roman curia to display such marked solicitude, once the money was received the business would be easier, and the arguments against such provisions would be listened to more eagerly by the very ones who regarded them as indispensable as long as they did not have in hand the price of their venality.¹¹⁴

¹¹² *Ibid.*

¹¹³ "For I, Sir, have not seen the brief, nor do I know what it contains."—*Ibid.*

¹¹⁴ "And also I do not doubt that these people give a good sum for this declaratory, and that this is what makes them in such a hurry. And also I believe that after it has been received they will listen better to the reasons on the part of Your Highness."—*Ibid.*

As we have just seen, the results of the negotiations with the Portuguese ambassador, when reduced to their simplest terms, were, as regarded the departure of the nuncio, that he be given the short period of less than one month to carry it out, and, as regarded the new bull relating to the Inquisition, that the communication of the names of witnesses against persons charged with heresy be provided for, and that the right of appeal be positively established. Those were the two points on which the pope had not yielded, as well as in not recognizing the fitness of the infante-archbishop to exercise the functions of inquisitor-general, a matter that would not be considered in the bull but which, as it were, remained unsettled. But if the envoy of Dom João III was able to reach these agreements with the pope, the apostolic chancellery could falsify the whole matter, as the ambassador seems to have foreseen. And that is what happened. This brief which had been delivered to him sealed for transmission to the nuncio through his government, so that he had the assurance that it had been dispatched, really did enclose the recall of Rícenati, but notified him that he might fix his departure for such time as he found convenient and assured him that his coming would be highly gratifying to the pontiff who wished to use his virtues of prudence and loyalty.¹¹⁵

What those virtues were the reader knows. The declaratory bull, so far from including only the two points agreed upon, was most ample, and was addressed exclusively to the protection of the New-Christians. If, as the Portuguese ambassador stated, this document had come dear, it must be confessed that the merchandise justified the high price. Immediately after the brief, the bull was issued which provided that in every case of crime in matters of faith, if the defendant were of Jewish origin, procedure should be in conformity with conditions and rules herewith established.

These were: that the chief inquisitor could delegate his authority only if he were absolutely prevented from trying the case himself, and then only to an individual who met all the canonical requirements; that the ordinary inquisitors should not be appointed for life, nor receive salaries or emoluments paid out of the property of defendants, but must take oath upon entering office to serve well, and must be punished, and must make restitution of property gained by any fraud, injustice, or abuse, they might practice; that both accusers and witnesses, when found guilty of falsehood, were to be punished and made to repair the damage they had done; that they were not to be told beforehand what evidence they were to offer or in what manner they were to offer it; that

¹¹⁵ "*Usum virtutis . . .*"—"The benefit of your virtue, wisdom, and loyalty . . . as soon as you can do so conveniently, make haste and return to us, to whom your coming will be most welcome."—Brief of October 3, 1539, copy with the Original Correspondence of Dom Pedro Mascarenhas, folio 162.

no one was to be arrested without sufficient proofs, and that the prisons should be used for retention and not for punishment; that there should be no torturing without strong motives, and then only after the defendants had first been heard, and that this torturing should not exceed what was administered for other crimes; that New-Christians must not be proceeded against solely on charges made by prisoners when undergoing torture, or even without torture; that the names of accusers and of accusing witnesses should be communicated to the defendants, and the latter were not to be regarded as "powerful" simply because they were New-Christians, and so much the more because the Inquisition was under the protection of the king; but in case an accused person should happen to be a "powerful" defendant, he should be so described in writing by the chief inquisitor and the respective prelate of the diocese acting in concert, opportunity being given the defendant to offset it; that suspicions might be raised against the inquisitors, promoter, notary, and other officers of the Inquisition; that in no case should there be odious distinctions made between Old-Christians and New-Christians in the prisons, or in the order of trials and in punishments; that commutations of punishments to money payments should not be permitted without the consent of the persons condemned; that in all cases reconciliation of defendants should be admitted, except in cases of the relapsed, even after judgment had been passed upon them; of priests up to the time when they were degraded from the orders, and of seculars up to the moment of their punishment, even though they may be alleged to be moved by fear rather than by repentance; that the sentence, under which anyone might be delivered to secular authority, should be published before it was carried into effect, whenever such publication was requested; that when an appeal should be made to the Holy See from unjust interlocutory sentences, or for any other grievance, whether on the part of the chief inquisitor, or on that of the lower officials, or that of the council-general, the matter should be deferred until a pontifical decision was reached; that scandalous sermons should not be preached inciting people against the converts, it being the duty of preachers and curates especially to avoid such abuses. Finally it was expressly directed that, in all cases of doubt that might arise, whether in regard to the meaning of this bull or anything else relating to the functions of the Inquisition, the matter should be referred to the apostolic see. The legal precautions to prevent the foregoing provisions from being defeated, and the imposition of canonical punishments upon those who impaired them, put the finishing touches to this important document.¹¹⁶

¹¹⁶ Bull *Pastoris aeterni*, October, 1536, in the *Symmicta Lusitana*, Vol. XXXIX, folios 123 v. et seq.

This bull was a new victory won by tolerance, although gold had been profusely used to obtain it. To its concessions the benevolence of the Roman curia shortly afterward added another no less important, though the occasion for using it might as yet be remote. It lacked seven years to complete the period in which the condemnation of persons accused of heresy could be aggravated by the loss of their property. In spite of this, a secret bull was drawn up in behalf of the New-Christians by which confiscations for religious crimes were abolished forever. It was a preventive which they might find helpful at the end of the seven years, if at that time circumstances should be less favorable.¹¹⁷

Such was the state of the contest toward the end of 1539. As we proceed with our narrative, we shall see that this victory of the persecuted was nothing more than a passing gleam of sunshine, a vain hope, and that the indomitable persistence of their enemies, the treason of their own brothers, and the bad faith of the Roman curia and of the pontifical delegates soon rendered useless all these efforts and sacrifices.

¹¹⁷ "Memoriale" in *Symmicta Lusitana*, Vol. XXXVIII, folio 56 v. This bull, of which no vestige has been found except the mention of it in the "Memoriale," must have been a little later than October 12; perhaps about the end of 1539, or in the early part of 1540.

CHAPTER VI

INCREASED VIOLENCE OF THE INQUISITION; VIOLENT DISCUSSIONS WITH THE POPE; BREAK BETWEEN PORTUGAL AND ROME; 1539 TO 1542

As we have just seen, the advantages obtained by the New-Christians were due quite as much to Dom Pedro Mascarenhas having been compelled to make concessions as to the money their agent had spent with a free hand. This agent was no longer the one who had begun that long struggle in which the Portuguese Jews fought for life, property, and liberty, against their enemies. Duarte da Paz had been replaced by a certain Doctor Diogo Antonio, who was also aided by other agents who lived in Rome, or who were sent there from time to time by the leaders of the converts. If we do not certainly know the causes that led to the dismissal of Duarte da Paz, we can at least conjecture them with a high degree of probability. The reader certainly remembers the history of this man, who, immediately after his arrival in Rome, impudently made an offer to the king to betray his employers, and of whose shameful relations with the archbishop of Funchal there are so many evidences. Discredited by the king, and later brought to the point of death at the hands of an assassin, that repulsive soul continued to haunt the dark roads of disloyalty and villainy. To him money was everything, and all the gold he could get was not enough. Luxury and greed drowned his sense of remorse, and from the correspondence of Sinigaglia we see that in 1536 the New-Christians were greatly irritated by his abuse of the commission he had undertaken. Whether, before he was replaced, he continued secretly to harm the cause of his brethren, it is not possible to say, but we do know that about the middle of the year 1539 he made secret charges to Dom João III through Dom Pedro Mascarenhas.¹ These charges related to the converts who had secretly escaped from Portugal into Italy, a flight²

¹ In the rough draft of memoranda for a reply to the letters of Dom Pedro Mascarenhas and of Cardinal Santiquatro about the end of September and early in October (Original Correspondence of Dom Pedro Mascarenhas, folios 160 *et seq.*) one reads as follows: "Item, to Dom Pedro that he speak with Duarte da Paz, and write to him if he is not there, and learn from him everything that seems necessary, and about which he wrote that he wanted to give information."

² Instructions of September 21 to Count of Castanheira, in Sousa, "Annaes," pp. 403 and 404.

in which they were especially helped by Capodiferro, when they were wealthy enough to get protection. Since he had ceased to be the attorney of the New-Christians he had gone to Venice, where the Portuguese Jews usually gathered, for there he could the better carry on the business of spy. He pretended to them that he was a secret follower of the law of Moses, while openly appearing to be a Christian, thus gaining at once the confidence of his victims and of the other spies of the king.³ His hatred of those who had replaced him, and perhaps some imprudence that betrayed him, obliged him to unmask and finally to break with his former clients. Through the press, he addressed to the pope a letter that dripped with the poison of his rage in the mellifluous language of a hypocrite. In that letter he undertook to show that the penalty of confiscation ought to be imposed upon all persons sentenced by the Inquisition, even though this were not in accordance with common law; for in his opinion the Hebrews, who never left off the practices of Judaism out of fear of death, did leave them off out of love of money. "A Jew," said he, "holds a few bits of jewelry in higher esteem than he does life and honor." He called to mind, as a proof of the propriety of reducing them to want, the promptness with which they had corrupted public ministers, not only to the detriment of strangers, but also to that of members of their own race, and even of their nearest of kin. "To them," continued the former agent of the converts, "there is no danger or labor, no villainy or crime, that does not seem light when there is a question of gain involved." In support of this statement he cited the horrible story of a Hebrew, Henrique de Sousa, who, out of such motives, ordered his own son to be assassinated, and when the son escaped, though mortally wounded, had refused to pay the price of the crime because the work was incomplete, and who, in consequence, died himself by the daggers of his own paid assassins, whom he had defrauded of their reward. He advised that a third of the property of persons convicted should be left to their children, on account of the forced conversions that had been made; that the remainder, however, should be used for works of charity. The other point, which Duarte da

³ This is inferred from the following passage: "Pero Carollo sent me from Venice a copy of a writing given him for me by Duarte da Paz, which he did not wish to give in his own writing on account of its being known to the New-Christians of Lisbon; and that he is doing a great service to God and to Your Highness in letting me know; and in this he wishes great secrecy, as Your Highness will see in the document itself, which I send herewith; Pero Carollo writes me that he has lately seen in Venice the New-Christians whom this other person mentions in the writing, and who, he is sure, came there to secure passage for himself, and for others who are expected."—Letter of Dom Pedro Mascarenhas of December 2, 1539; "Original Correspondence," folio 199.

Paz regarded as of the utmost importance, was the question of the prisons. They ought to be thoroughly secret, and composed of cells, so that prisoners could not encourage each other in error. As for communicating to defendants the names of accusers and witnesses, it is clear that he must have been opposed to what his former clients asked and to what reason suggested. As one acquainted with the intimate life of the New-Christians, he undertook to show that they must be regarded as powerful on account of the bonds of religion and kinship that linked together the wealthy families, and on account of the dependence of the poor upon the well-to-do, in whom alone they could find help in the midst of general ill feeling. From this union came the force of the converts, concerning which the authority of a man who so long directed at Rome the ordinary affairs of the Hebrew people had weight. After the general considerations that he presented, Duarte da Paz offered to make important revelations, if they cared to hear him, from which would come great advantages for the exaltation of the faith and for the progress of Christianity. Conscience cried aloud that this paper against his brethren and addressed to the pontiff was a most offensive piece of villainy, so he ended with a peroration in which were mingled remorse, rage, impudence, and the impotent efforts of a hypocrite to hide the blackness of his purposes beneath a mantle of religion. "If they say," he concluded, "that I am not moved by zeal for the faith, but by spite because they did not pay the debts due me, and because, on top of that, they persecute me, I appeal to God who sees my intentions and to the people who know me. It is certain, however, that in this last fact I have found an argument that entirely convinces me of what I already knew. I repeat that for money they will suffer death itself, and in order not to lose it they will be the best Christians in the world. It was through divine pity that they acted so with me; for ingratitude and the wrongs of their superiors make good men bad; and I, for the same reason, if I were bad, hope to become good through the grace of Jesus Christ. But whether good or bad I shall always tell the truth in this matter in honor of the Savior whom I ask to defend me from the treason, falsity, and deceit that are characteristic of such heretics."⁴

That we may not need to speak of this wretch again, we should mention here the few traces found of the remainder of his obscure existence. Not content with that kind of manifesto addressed to the pope, Duarte da Paz published a famous libel against the man who took his place, and

⁴ Copy of printed sheet directed to Paul III by Duarte da Paz, in the Original Correspondence of Dom Pedro Mascarenhas, folio 273—"And so I send you now another (copy) of a printed letter that Duarte da Paz wrote from Venice to the pope regarding this matter of the Inquisition, which also bears on the point we are now on."—Letter of Dom Pedro Mascarenhas, of October 4, 1539; *ibid.*, folio 194 v.

against Affonso Vaz, a New-Christian living at Rome, and probably counselor of Diogo Antonio. Upon being officially accused by the fiscal of the treasury and of the apostolic camara (perhaps because the charges against the two agents of the converts reflected upon the ministers and officers of the Roman curia) the insolent Hebrew was tried in contumacy and condemned to the gallows.⁵ After this, it seems that he was for some time a prisoner in Ferrera, where he appears to have lived and practiced some of his usual villainies.⁶ By this time or a little later he had declared himself again sectary of the law of Moses. Finally, to crown the series of his misdeeds, he went to Turkey, where he embraced Islamism. There, it seems, ended in obscurity the career of this unfortunate man, accursed of God, disgraced both in his own country and out of it, a striking example of the abject extremity to which unbridled passions can lead a man.⁷

The expedition of the bull of October 12 having been obtained, the agents of the New-Christians sent it to Portugal by special messenger. It seems that the conduct of Duarte da Paz had found imitators among the people of his race. In Lisbon were various Hebrew families, which, possibly for the sake of obtaining impunity, possibly because they were sincere followers of the dominating religion, were in league with the party of intolerance. It happened that this messenger was related to one of these families and had similar views. Here was a favorable opportunity to do a valuable service to the cause he secretly served, and he used it. He prolonged his journey as much as possible, and when he finally reached Lisbon he kept himself in concealment for several days without delivering the bull and the letters accompanying it. At least such was the explanation of the delay of that important document given afterward in Rome by the principal agent of the converts, and which, to a certain extent, agreed with the statements made in regard to it by Capodiferro after his return to Italy, though Dom Pedro

⁵ A copy of the sentence is at folio 133 of the Original Correspondence of Dom Pedro Mascarenhas. The printed sheet that gave rise to the trial, and which we have not been able to find, perhaps still exists in some library in Italy.

⁶ "Of Duarte da Paz I have no further news; and the last I had was that he was a prisoner in Ferrara by order of the Duke for some unsavory business that is never lacking between him and his kin."—Letter of Dom Pedro Mascarenhas of March 10, 1540, in the "Original Correspondence," folio 219.

⁷ This appears from the bull *Circumspecta* of October 28, 1542, revoking another conceded to Duarte da Paz, which provided that he and his relations by blood or marriage should not be prosecuted or arrested by the Inquisition. In it the pope says: "*praefatus Eduardus . . .*"—"the said Duarte has since abjured the Christian faith, and has not only returned to the Hebrew false religion but he even publicly professes the Turkish creed and follows it to his own damnation.—Original in the Cartorio of the Inquisition, in the National Archives. In a letter of Dom Pedro Domenico of April 27, 1542 (Drawer 2, M. 2, No. 53), allusion is made to the fact that Duarte da Paz had embraced Islamism.

Mascarenhas, whose tendencies were not toward excessive credulity, suspected that this story had but little truth in it, and that the explanations of the nuncio had still less.⁸ In either case, the pontifical document that had cost so many and such protracted efforts, besides enormous bribes, was rendered completely useless. In reality the brief which relieved Girolamo Ricenati, so far from fixing the time for his departure from the kingdom as had been promised in Rome, left it, as we have seen, to his own discretion; and so it seems that when he was notified to leave by the government, he replied with a copy of that brief.⁹ Meanwhile, having been really relieved of his office and being confident of the resistance of the king to all acts of his, he found himself in a position difficult to hold long. He therefore decided to leave about the end of November¹⁰ without publishing the declaratory bull or giving notice of it to the inquisitors, and leaving the New-Christians in a worse condition than they were before, for the special guarantees of the bull of May 23 were about to expire, while they had no representative of the pontiff on the spot to whom they could appeal against the excesses of the inquisitors.

What was the cause of this singular course of a man who, up to that time, had resolutely protected the converts, and who had derived so many pecuniary advantages from that protection? If we are to believe the first explanations of that strange behavior, as given by him after his return to Rome, the bull of October 12 had reached Lisbon so late that, as he was about leaving, he would not have had time to have it executed, if he had tried to do so. When this excuse was not well received, for the brief of revocation had granted him the privilege of remaining for some time, he then said that he was already in Castile when he had received the pontifical document, and he did not think he was authorized to return to Lisbon again for the purpose of having it complied with.¹¹ In the long memorial addressed by the New-Christians to Paul III in 1544 the conduct of Capodiferro at this juncture is excused by his own victims. It is there stated that the bull contained some obscure points, concerning which they themselves had asked Capodiferro to obtain the necessary elucidations from the

⁸ Letter of Dom Pedro Mascarenhas of March 9, 1540, in the "Original Correspondence," folio 211.

⁹ This is inferred from one of the memoranda for a reply to the letters of Dom Pedro Mascarenhas and of Santiquatro about the end of September and the early part of October ("Original Correspondence," folio 160): "Letter to Dom Pedro on the going of the nuncio, in which is related what happened with him here regarding his going, and the brief which showed what was sent him about it from there, and what he replied, and what is gained by this complaint, etc."

¹⁰ Letter of Dom Pedro Mascarenhas, of March, in the "Original Correspondence," folio 209.

¹¹ *Ibid.*, folio 211.

pontiff.¹² One circumstance, however, deprives this favorable testimony of the converts of its value. Capodiferro, in spite of all the charges of corruption made against him, far from falling into the ill graces of the Roman curia, had enough influence to be called, along with Sinigaglia, as we shall see, into the councils of the pope whenever matters relating to the Inquisition in Portugal or to the Portuguese converts were under consideration. It was not best, therefore, for the converts to irritate him with accusations regarding the past. But the correspondence of Dom Pedro Mascarenhas throws light into all this darkness. It proves that the New-Christians stated that the reason the bull of October 12 was not published was a question of money. The nuncio, with that document in his hand, wanted it paid for again at a high price in Lisbon, after having already been paid for at a high price in Rome. Whether the chiefs of the Hebrew race did not have the enormous sums demanded by Capodiferro, or whether their natural attachment to their money made them hesitate, it is certain that they resisted the extortion. He took his revenge upon them by failing to comply with his own duty and by abandoning the New-Christians to their sad destiny.¹³ Such it seems was the real explanation of that unforeseen outcome.

Thus the clouds that overshadowed the horizon of the Inquisition cleared away and left it in a more advantageous position than ever before: for the result of all this network we have seen in the weaving, and of all the gold poured out by the contestants while the active struggle was going on in the Roman curia, ended in the New-Christians' being left without the protection of an apostolic delegate, without the few guarantees that for three years the bull of May 23 had granted them, and completely at the mercy of the inquisitors, whose moral force had been increased by the substitution of the bishop of Ceuta in the place of the infante, Dom Henrique. Meanwhile there must be no falling to sleep after getting past the first danger. Though Capodiferro had not executed the bull, someone else might do so, and the objection of the pontiff to approving the appointment of Dom Henrique might yet produce serious embarrassments. To remove the pope's opposition, and to prevent his sending a new nuncio who might carry out the apostolic mandates, were the objects toward which all efforts of the partisans of the Inquisition had now to be directed.

We have seen how Dom Pedro Mascarenhas, when considering the obstacles that stood in the way of the infante's exercising the supreme

¹² "Memoriale," in the *Symmicta Lusitana*, Vol. XXXI, folio 59.

¹³ " . . . the declaratory bull of the Inquisition, which his nuncio did not want to publish in Portugal, and which those of that nation say he acted so because they could not at once give as much agreement money as he wished, and that for this reason he came off without publishing it."—Letter of Dom Pedro Mascarenhas of March 9, 1540, in the "Original Correspondence," folio 209.

magistracy of the tribunal of faith, advised Dom João III to yield this point. His advice was not taken. So far from it, indeed, that on December 10, 1539,¹⁴ the king wrote a letter which was addressed to the ambassador, but its real purpose was to be read to the pope, a letter in which indirect threats were mingled with the most submissive expressions of filial obedience and with the most touching complaints of the lack of affection and confidence on the part of the chief shepherd. Dom João III attributed the pope's resistance to his having given more credence to the false information of the converts than to the sincere truth of the royal word, and he sought especially to show how absurd it was to suppose that he, the king, would do as he had done out of any other motive than religious zeal. On this point the letter is extremely important, for it involves the explicit confession of the disastrous economic consequences to the country of the monarch's blind fanaticism. As there stated, the New-Christians constituted a large part of the nation, and the part more useful than all the rest of the people. Through them and through their capital, commerce, industry, and the public revenues were increasing from day to day, when persecution came to dry up the sap of general prosperity; and it was notorious that there had been a withdrawal of enormous sums from Portugal to Flanders after the Inquisition had been established. Reasons for hating the converts he had none; for he had always been loyally and zealously served by them, and for that reason he had shown many of them marked kindnesses. A desire to deprive them of their riches ought not to be attributed to him, for he had given up the right of confiscation for ten years, and in that time the wicked would be exterminated, and there would be no reason for confiscating the property of the good. On this point he declared that if the pope would give the Inquisition all the powers and the independence that had been asked for it, he would gladly cede the right forever. After such a proof of liberality, he could not do otherwise than regret that, while he was sacrificing legitimate interests for the spread of Catholicism, Rome should sacrifice Catholicism to ignoble and sordid interests. "For every *cruzado* that can there be gained from the converts," said Dom João III, "a hundred have been lost in Portugal, and yet I am vilely abused for wanting the blood of my own sheep."¹⁵ All these efforts of the New-Christians had for their single purpose the retarding of the definite establishment of the Inquisition long enough to enable them to get their persons and their property to places of safety. He then made it clear

¹⁴ The rough draft of this letter is at folio 37 of the "Original Correspondence," without date; but folio 265 is a copy of the version of it made by Santiquatro to be read to the pope. This copy has the date of December 10.

¹⁵ " . . . and this all is such a shameless pretense that I wanted to cut the throats of my own sheep."—*Ibid.*, folio 39.

that if the court of Rome by so strange a procedure was disserving the cause of God, he might be tempted, if he did not try to repress his own displeasure, to do justice on his own account as he might see fit; a last extremity to which he hoped that, on account of the consideration he had for the person of Paul III, he might never be driven. Coming to the question of whether the infante should or should not be chief inquisitor, he manifested the highest indignation at the opinion held by the curia that the supreme judge of the tribunal of faith was to be looked upon with suspicion because he happened to be his own near relative. One had to have a soul superior to all insults in order not to avenge this one; but in God's name he demanded that the pope ask his pardon for such an affront, if he would escape the punishment that Providence reserves for those fathers who despise and illtreat their good children. If he had made his brother inquisitor, thereby abasing royal dignity in the opinion of men, it had been for the explicit purpose of giving a guarantee to the New-Christians in the impartiality of such a prince, which they would have to purchase with its weight in gold, if they had no better resources than the intrigues they were concocting in Rome. Finally he asserted that, if he had stooped to complain and to make these reflections, it was because he had set aside all sentiments of offended honor, and had thought only of obeying the voice of his own conscience.¹⁶

As we have seen in the preceding chapter, the rough draft of the bull of October 12, or rather the memoranda for it drawn up by Del Monte, had been sent to Lisbon for the purpose of informing the king and the Inquisition about it before the final dispatch of that document. What happened shortly afterward had hastened the preparation of the bull; but the conduct of Capodiferro having neutralized this step, the whole matter was left in its former status. However, with the letter of April 10, or thereabout, the objections of the inquisitors to the principal points of the bull were sent to Dom Pedro Mascarenhas. That bit of pleading, in which are considered the inconveniences of the provisions adopted, is especially important as a standard of comparison whereby to appraise the validity of the converts and to see how far they are right, for it is not to be supposed that all the right was on their side. The first thing objected to in the bull was its fixing as inviolable qualifications for the office of ordinary inquisitor the canonical age of forty years and the academic degree of doctor or of licentiate. These objections were based principally on the lack of individuals in whom these qualifications were combined, a futile evasion in view of the small number of such individuals. But how could such a condition be accepted when the chief inquisitor was not even

¹⁶ *Loc. cit.*

thirty years old, the age hitherto required, and when he had not the literary qualifications? The acceptance of this rule amounted to admitting the ineligibility of the supreme judge of the tribunal of faith. The principle that the inquisitors should be temporary and subject to censure after leaving office was equally objected to under pretexts too frivolous to be considered. The intervention of the bishops in the Inquisition trials was also objected to; that is, the possible restoration of the legitimate discipline of the church was objected to. In the question of the order of trial, they denied, in the first place, the validity of the doctrine that only those persons should be accepted as witnesses for the prosecution who could give testimony in civil crimes of robbery and homicide. From a legal point of view the inquisitors were right. In cases of crimes against faith, canon law admitted the testimony of servants, perjurers, codefendants, children against parents, and brothers against each other. But in the light of philosophy and morality, the pope was right. The principal concern of the inquisitors was the fear that they would lack proofs enough to condemn their victims.¹⁷ If, as was now proposed, the publication of edicts were prohibited which ordered all persons, on pain of severe penalties, to come forward and expose religious crimes of which they had knowledge, it being explained in the edicts what these crimes were, the inquisitors saw likewise in such a prohibition an almost insurmountable obstacle to the persecution of secret Jews; for if heresy did not involve a third party, it was necessary to incite the accusers.¹⁸ They found it no less impolitic that an accused person, after once being tortured in order to make him confess a crime, should be prohibited from being tortured a second time when there was no new evidence against him. They wanted to be allowed to repeat as much as they chose the agonies of those who fell into their hands, even though there might be no reasons for it. One of the points most keenly debated in this long contest was whether or not the names of denouncers and of accusing witnesses should be disclosed to defendants, and over this the inquisitors fought with the greatest ardor. They not only cited provisions of canonic law and the constant practice of the former and present Inquisition in Portugal, Castile, and Aragon, and even that of the bishops when they took action against heretics, but also they

¹⁷ "To repeal in this part the law is to take away all the effect and advantage to be had from the Inquisition; for heresies are not proved except by participants in the crimes and by domestics, relatives, and persons with whom the heretics have conversation and familiarity."—Reply to the chapters, etc., Drawer 2, M. 2, No. 49, in the National Archives. The chapters drawn up by Del Monte referred to in this reply are in Drawer 2, M. 2, No. 46.

¹⁸ "It is to take away the Inquisition entirely, and to make it of no effect: and to bring it about that the errors of heretics cannot be known or discovered."—*Ibid.*

laid stress on the danger of such revelations, a danger of which they cited examples. Various accusers had been assassinated by kinsmen or friends of the defendants, and at that very time a witness for the accusation had been cut down in Lisbon. To prove that assassination was a means readily resorted to by the converts in order to escape torture and punishment, they cited a singular fact. One of them, notoriously and clearly guilty of Judaism, having been arrested, soon died in prison, for they gave him poison to drink. The naming of the persons to whom this had happened leads one to believe that the inquisitors spoke the truth. Once the tribunal of faith were in existence, there would of course be reason for making use of the secrecy to which objection was made; the more so when the duty of accusing was imposed upon people under severe penalties. But if secrecy were established as a guarantee for accusers and witnesses, an unlimited field for hatred and private revenge would be opened against the members of this race, hated by the fanatical crowds, and envied for their wealth. So there was no choice save between crimes and crimes and between horrors and horrors. It was an absurd situation coming from the monstrous character of the Inquisition itself. Equally absurd were the consequences of any decision that might be adopted regarding appeals from sentences, whether interlocutory or final. The inquisitors maintained with reason that inasmuch as the bull of May 23, 1536, had established three courts, that of the ordinary inquisitor, that of the chief inquisitor, and that of the general council, it would be unlawful to admit a fourth court by allowing appeals to Rome. They observed that, on the one hand, these appeals might be prejudicial to the prisoners themselves by causing their indefinite retention in prison, while, on the other, they were sure to be the means of making the punishment of culprits impossible. Whether the trials were appealed to the curia or submitted to special judges, it would be neither proper nor easy for the promotor of the Inquisition to follow them before these special judges, or before the curia, in every incident that might furnish a pretext for an appeal.¹⁹ This was all quite true. But what were these various and urgent matters to which so much importance was attached? They related to the trial of defendants by individuals entirely dependent upon the chief inquisitor, who appointed them and removed them at his own good pleasure, and all the more capriciously now that a prince filled that dread office. Thus, though plausible, these last statements of the inquisitors, in view of the real facts of the case, had no value whatever.

At the time when Dom Pedro Mascarenhas received the letter of December 10 and the instructions in harmony with the preceding views of the inquisitors, other affairs in his charge had not yet been entirely fin-

¹⁹ *Op cit.*

ished, and among these was one, that of the tithes, which had not been less difficult to settle than that of the Inquisition itself. He therefore felt that this should be postponed until the others were concluded, since, as the bull of October 12 had not been published, and as Capodiferro had not only left Portugal, but, early in February, had reached Rome, the Inquisition was entirely free to proceed as it chose. But when the other affairs in which he was concerned had been concluded, the skilful agent of the court of Portugal, who had more than once asked the king to relieve him from that difficult mission, devoted himself arduously to bringing the subject of the tribunal of faith to such a stage as would enable him to use the permission the king had given him to return to his country as soon as matters had reached a state that would leave no fear for the existence of the Inquisition, or for the permanency of the infante-archbishop in the office of chief inquisitor.²⁰

Early in March, 1540, therefore, the ambassador requested and obtained an audience with the pontiff for the exclusive purpose of discussing that delicate subject and to communicate to him the letter of the king, a version of which, prepared by Santiquatro, was read by the latter to the pope. They both feared that this letter, violent and threatening in substance, though moderate and submissive in form, might irritate Paul III. But it did not turn out so. The king made an imprudent step when he declared that he had decided to yield forever in the question of the confiscations. Pucci had noted this circumstance at once, and the pope, on hearing the letter, eagerly turned it to account. So far as he was concerned, the king had done well to speak freely, as was becoming between friends mutually confiding in each other. He was sure that such a prince would not concern himself about the vile and sordid gains that might be had from the confiscations, which he renounced forever. He thought, though, that the reason for his own course in that long contest was clear. As there were such grave complaints by the New-Christians against the Inquisition, he, the supreme judge, could not fail to hear both sides, the more so because, as such matters did not pass through the hands of the king, it was allowable for him, the pope, to have suspicions about the inquisitors, just as Dom João III suspected the officials and ministers of the Roman curia. But admitting the intertion, manifested in the letter of December 10, of a perpetual and absolute abstention from confiscation, the state of the question changed, and he regarded the representations in favor of the Inquisition as just, now that the chief motive for all suspicions had disappeared. Meanwhile, as it was a serious thing to alter, on his own

²⁰ Letter of Dom Pedro Mascarenhas, March 9, 1540, in the "Original Correspondence," folio 207.

deliberation, decisions taken after such a violent contest and after such long debates, he asked time to consult competent persons, and to decide with justice regarding so serious a matter. But in matters relating to the infante, the difficulties were greater, not only because where lives and estates were involved and the interested parties regarded the judge with suspicion, it was his duty to hear them, but also because, though there might be exaggeration in the complaints, many of them were based upon plausible grounds. These difficulties, however, might be settled with the expedient of the perpetual abstention from confiscations, and perhaps the New-Christians, in view of this disinterested course of the king, might yet voluntarily accept for judge the very one to whom they were now objecting.²¹

This moderate language of the pope was both conciliatory and astute. A minor matter in the letter of the king was changed into its principal subject, and the basis of future negotiations thus came to be the question of confiscations. Probably not trusting too much to the sincerity of an offer, which was possibly nothing more than a pure formality or a rhetorical flourish, the pope did not hesitate to hold out hopes, as vague as they were flattering, for an agreement as soon as could be realized one condition which he could not have thought easy to comply with, and which was so important for the converts. On his part, Dom Pedro Mascarenhas, not daring to deny that the letter contained the offer of which Paul III had taken advantage, wanted to make use of the pontiff's words to oblige him to take prompt and final action concerning the limitations of the Inquisition, and especially in regard to the question of the chief inquisitor, while admitting the generosity of the intentions of his sovereign in regard to the property of persons charged with heresy. So he declared at once that, confiding in the good intentions and promises of His Holiness, he would refrain from presenting the objections offered by his court to the principles of the bull of October 12; for it would now be easy for the supreme pastor himself to find a just and favorable solution, and thus avoid the delays of new and tedious debates. The pope acquiesced, agreeing with the ambassador in regard to the delay that such a discussion would cause, and giving it to be understood that he would thus be able to get the desired solution the more promptly.²²

Up to this moment, the conference indicated that an agreement would be reached as promptly as it had been unexpected. But it was necessary to get away from generalities and demonstrations of mutual good will in the matter of the infante. Ought the pope to yield at once on this point, and to accept the appointment of Dom Henrique as suitable and valid?

²¹ *Loc. cit.*

²² *Ibid.*

It did not seem so, and new reasons arose to convince him of it. In an outburst of sincerity, either genuine or simulated, Paul III revealed to Dom Pedro Mascarenhas what was going on. There had just then arrived at Rome a Portuguese Jew, bringing new petitions from the converts against the infante. He had been the victim of the usual violence. Attacked and detained on the road by Dom Henrique, robbed of the papers he bore and carried back a prisoner to Lisbon, he had succeeded in escaping from his guards and reaching Spain, whence he had come to him, the supreme pontiff, to ask justice and relief both for himself and for his oppressed brethren. Such facts, in the opinion of the pope, quite independent of what they meant in themselves, were highly offensive to the Holy See, since they prevented by such means recourse to him in matters that he ought to know. This fact cited by the pope put the ambassador in a very difficult situation: however, Dom Pedro Mascarenhas, with his characteristic presence of mind, succeeded in avoiding shipwreck. Instead of humble apologies, he adopted the language of offended dignity. Interrupting the pope, as the representative of the Portuguese crown, he demanded of him that he immediately place in irons the wretch who dared with such a coarse lie to calumniate an infante of Portugal by accusing him of being a highway robber. In his opinion, it was Providence who had brought that liar to Rome at such a time, in order that His Holiness might be convinced that everything the New-Christians alleged was a series of lies and slanders, and that he might be able to declare frankly that the motive which had brought that rascal to the Roman curia was to ask for the execution of the bull of October 12. He then recounted the conduct of Capodiferro before leaving Lisbon, as if Paul III were ignorant of it, and he assured him that this man had come authorized to pay in Rome the money refused the nuncio in Lisbon. At least, that is what was said, and the signs justified public rumor; for otherwise it would be impossible to explain how so important a document, which, on account of its urgent nature, His Holiness had ordered to be dispatched without awaiting the reply of the king, had not been put into execution, when the Portuguese government had not raised the slightest objection to it. Either the New-Christians were not yet satisfied, or the nuncio had prevaricated. There was no getting away from this dilemma. The intentions of the pontiff having been thwarted by his own representative, and the calumnies of the emissary who had just reached Rome and had furnished the occasion for him to tell His Holiness the whole truth, presented a strange coincidence; but there was still another circumstance which gave to this combination of facts a mysterious and terrible character, and that was that the waves had swallowed up the ship that was bringing the treasures of Capodiferro, the fruit of his corruption by the converts, and the price for which he had

sold the blood of Jesus Christ.²³ Heaven was fighting for the Inquisition; for it was the cause of the faith that was at stake, and His Holiness should keep that in mind. As for the unworthy calumniator, Dom Pedro insisted that he be thrown into a dungeon until the truth could be ascertained, to be punished later, his demands being accompanied with the threat that, if justice were not meted out, he himself would know how to get satisfaction of a traitorous vassal of his king, and that there was no extreme to which he would not go in order to avenge the offense.²⁴

The audacity of the ambassador, as he had intended, rather abashed the pope, who was already regretting having opened the door to such severe language. On dismissing the Portuguese minister, he assured him that the accuser of the infante should be arrested until the letters of the king on this subject arrived, so that the guilty man could be punished as a calumniator; that he was still ignorant of the true reasons why the bull of October 12 had not been published; and that he had done him a valuable service in speaking so frankly, for often princes paid for the faults of their ministers with their own discredit. As for the letter of December 10, he charged Cardinal Pucci, there present, to examine it, along with Ghinucci and Del Monte, on his behalf, and after getting the views of the three he would soon be able to decide regarding its contents.²⁵

But in spite of the certainty with which he had talked to the pope, the truth is that Dom Pedro did not know whether he had hit upon the motives to which he had attributed the coming of the emissary, nor even how far the story of the adventure he had described was inexact. On looking further into the matter he ascertained that the late arrival was a brother of Diogo Antonio, attorney of the converts. The matter he had come to look after principally was to settle questions that had arisen between Diogo Antonio and his constituents regarding the money required for expenses in Rome, both for legitimate expenses and for bribes, and which the New-Christians had doubts about paying. The reasons he had assigned to the pope for the mission of Hector Antonio (that was the newcomer's name) were merely probable. Perhaps another object was to ask that a new nuncio be sent, a matter in which the converts were deeply interested. As for the adventure that scandalized the pope, this is what the ambassador was able to learn about it from various Portuguese, to whom the emissary had especially related it. When he had left Aldeia Gallega by post, he had met in the vicinity of Rio Erio the lord chamberlain of the infante and another man, both on horseback, who, seeing him pass, had set out to

²³ "And the ship of his nuncio, that came loaded with the spoils of the blood of our Lord Jesus Christ and the bribes of that people who were his adversary, had not without cause been destroyed in the sea."—*Loc. cit.*

²⁴ *Ibid.*

²⁵ *Ibid.*

overtake him. At a short distance Dom Henrique himself awaited him, escorted by five mounted men. The infante asked him where he was going; he replied that he was going to Valladolid. But the chief inquisitor was fully informed as to who he was, where he was going and for what purposes. In reply to his denials they arrested him and took him to Landeira, where they robbed him of all he had, money, jewelry, and letters.²⁶ The infante opened the letters, read them, and sent everything to Lisbon with the emissary as a prisoner. But reaching the capital late at night, and profiting by the circumstance of being accompanied by only one man, Hector Antonio succeeded in escaping in the dark through the many crooked streets of the old city. That same night he crossed the Tagus again, and, following unfrequented roads, was able to cross the frontier and escape.²⁷ The details of the story made it seem probable. On reporting these occurrences to the king, the ambassador skilfully pointed out not only that he was convinced of the fact, but also that such a procedure would be a very grave embarrassment in the question of the infante. He said that he had not continued to demand the imprisonment of this man out of fear that something might really have happened. He had more than enough reasons for believing that it was all a lie, for he had received no word about it from the king, which would be inexcusable if the story of the emissary were really true. But, if the case were highly improbable, it was not absolutely impossible, and in so delicate a matter it was necessary to be circumspect.²⁸ In order to avoid suspicion by showing indifference, he had again insisted to the pope on the imprisonment of Hector Antonio, but at a time so inopportune that he could only get in reply vague promises soon to be forgotten. He ended by asking direct instructions from the king with the dexterity of a skilful courtier. If the fact had so happened, he asked him not to answer this part of his letter. He would regard silence as an order to dissemble on this subject. In the contrary case, it would make but little difference if in the meanwhile the pontifical government had not kept the calumniator a prisoner, or even if it afterward facilitated his escape. It was one more reason for complaint from which future advantage could be taken in the matters pending. But what he urged in any case was the necessity of opposing in every possible way the effects of the liberty with which the agents of the New-Christians talked in Rome; in regard to which he expected to make important revelations to the king when he should return to the kingdom.²⁹

²⁶ "They took his portmanteau, with all the letters he had and about a hundred and some *cruzados* and certain rings."—*Ibid.*

²⁷ *Ibid.*

²⁸ "However, as chance is stronger than law, it seemed best to be content with the words the pope had already given me, and not to get him angry again."—*Ibid.*

²⁹ *Ibid.*

Meanwhile the three cardinals charged with the examination of the letter of December 10 had given their opinion regarding its contents. Their opinion was summed up in requiring Dom João III to declare directly and officially to the pontiff the decision he had announced that he had reached to yield forever on the question of confiscations. On this basis, everything could be arranged so that the king would be entirely satisfied. The pope adopted the report, laying it before the ambassador, and asking him at the same time to leave in his hands the original of the letter. Evidently he was seeking some means of making sure of the honesty of the promises made. But Dom Pedro was not the man readily to fall into the trap. If the pope was well acquainted with the king of Portugal, the king's minister knew the pope perfectly. He thanked the supreme pastor for his benevolent intentions, assuring him that he was certain there would be no breaking of such solemn promises, and that as soon as he reached Lisbon with the new proposal, the king would doubtless send His Holiness the declaration requested. The letter he could not leave except in the form of a copy. It was not only his defense in any unexpected event, but it was also a powerful weapon he was taking with him to combat whatever reluctance might still remain in the mind of the monarch by enabling him to place before his eyes the obligation resting upon the royal word. He reminded His Holiness, however, that there was an indispensable condition for any final agreement. It was the suspension of the declaratory bull, leaving in force simply and exclusively that of May 23, 1536, for otherwise all negotiations would be at the same time impossible and useless. He therefore begged him to dispatch a brief, of which he would be the bearer, in which the king should be assured of the maintenance of things in the condition in which they were before the bull of October 12, until a final decision was reached regarding that matter.³⁰

Inasmuch as the pope declared that the purposes of the court of Portugal seemed to him admissible, the cessation of confiscations being assured, he could not refuse the brief requested. They agreed, therefore, that it should be dispatched, and that a copy of the letter of December 10, signed by the ambassador, should remain in the hands of Santiquatro. It was necessary, however, to prevent the ministers of the Inquisition from exceeding in any way the bull of 1536, or from making more rigorous the practices of the tribunal, even in the slightest degree. At the point matters had now reached, and in the midst of the difficulties created by the conduct of the chief inquisitor himself, to preserve the *status quo* until the king might decide about the confiscations, and thus to nullify the effects of the bull of October 12, was a great victory. It would not do, therefore, to multiply requests or to complicate details. The ambassador had indeed

³⁰ *Loc. cit.*

been ordered to ask for special provisions regarding the method of procedure when any religious crime had been committed by Old-Christians, so sure is it that the government itself understood that the Inquisition and the rules by which it was guided, though in appearance generic, had been destined exclusively for the persecution of Judaism; but Dom Pedro Mascarenhas felt that this claim should be postponed until later, it being easy to be had at any time, for, as he said, there was no one to give bribes in the court of Rome³¹ in opposition to it.

Like the preceding question, that of the legitimacy of the infante's filling the office of chief inquisitor might also be postponed, but not the sending of a nuncio to Portugal. That was not a matter to be slighted. Though it might have been out of unworthy motives that they had objected to the conduct of Sinigaglia and of Capodiferro, the nunciature presented a permanent, and at times, insuperable obstacle to the severities of the inquisitors. That was just what was not wanted. In this matter, fortunately, the ambassador, on his departure from the pontifical court, left someone there who could oppose the appointment of a new nuncio with even greater energy than he himself. The lucrative indulgences of the apostolic see were dispatched principally through the penitentiary's court, and Santiquatro was the chief penitentiary. When there was a nuncio in Portugal almost all matters relating to that country passed through his hands to the detriment of Santiquatro. What more powerful incentive could there be to animate the zeal of the cardinal protector?³² Worn out with vigils and cares, his own fortune exhausted, and worse still, his health gone, Dom Pedro had long sighed for the moment when he could avail himself of the king's permission to return to his own country. With matters as they now were, only one circumstance delayed his departure. That was the drawing up of the promised brief. After two or three attempts had been successively adopted, it was finally dispatched, but was shortly afterward suspended. It had been drawn up by Cardinals Pucci, Del Monte, and Ghinucci. The pope now ordered it to be revised by Ghinucci and the two ex-nuncios, Sinigaglia and Capodiferro. The balance began again to lean to the side of the converts. The new committee added an important item that the first had omitted. That was the fixing of a period of four months in which the king was to reply. The limitation was obviously a wise one. In vain the ambassador, to whom this was reported, exerted himself at least to lengthen this period. It was useless; and Dom Pedro Mascarenhas, the state of whose health did not permit him to travel

³¹ "There is no one to contradict it, or who has money in the bank."—*Ibid.*

³² "For he (Cardinal Santiquatro) is even more concerned about the sending of nuncios than I am, combining the service of Your Highness with his own interest."—*Ibid.*

rapidly, had to send the brief by a special messenger in order to give Dom João III time to decide with deliberation upon a course of action within the fatal period.³³

Notwithstanding the modesty, perhaps not altogether sincere, with which Dom Pedro Mascarenhas, in his correspondence, declared himself unequal to the difficulties of the negotiations with which he was charged in relation to the tribunal of faith, certainly no one could have conducted them better than he during his long residence in Rome, for the circumstances with which he had to deal were both complicated and difficult, as the reader has seen. It may be said that when he departed from Rome, he left the New-Christians in a more precarious situation than ever, in spite of the fact that within that period they had used the most extraordinary efforts to save themselves. Their triumphs had been ephemeral, and he was the one who had thwarted them. The existing situation left Inquisition affairs to be carried on as before, and expedients would not be lacking for prolonging the time, if not of a reply of some sort to the brief that was being dispatched, at any rate of a definite conclusion of the matter. The interest of the Portuguese court lay in deciding nothing and doing nothing. Legally or illegally the infante archbishop would continue to be chief inquisitor, and with him for their head the inquisitors could freely evolve their own cruel tendencies. The coming of a nuncio who, being bribed by the converts, could protect them, was deferred until an agreement was reached between the two courts; beyond that, in this matter, his own interests made Santiquatro the best of attorneys. Accordingly the ambassador left Rome in the middle of March, leaving the Italian, Pedro Domenico, ordinary agent of the king, in charge of various matters of minor importance that were pending and that he himself had not been able to conclude.³⁴

The brief that Dom Pedro Mascarenhas had sent forward before he left, and upon the drawing of which the ex-nuncios, Sinigaglia and Capodiferro, had been heard, seemed to lay upon Dom João III the necessity of quickly coming to a definite agreement. Besides fixing the period for his decision regarding confiscations, it was provided that, in view of their mutual interdependence, doubts regarding the eligibility of the infante,

³³ Letter of Dom Pedro Mascarenhas of March 11, 1540, in the "Original Correspondence," folios 221 *et seq.*

³⁴ *Ibid.* and letter of the aforesaid, dated at Modena, April 2; *ibid.*, folios 226 *et seq.* In Drawer 10, M. 11, No. 27, in the National Archives is the list of the various papers left by the ambassador with Pedro Domenico. Among them are some regarding the trial of Ayres Vaz, who, it appears from the letter of Dom Pedro Mascarenhas, of March 11, cited above, had been set at liberty, leaving him to go to Rome to follow up his appeal to the pontiff.

Dom Henrique, to the office of chief inquisitor should be settled conjointly with the other business.³⁵ But this expedient which had been resorted to was inefficacious; for though the inquisitors were delivered from the nuncio and the Inquisition preserved in its former condition, both the provisional character of the latter and the lack of the confirmation of the infante might be prolonged indefinitely. And, further, as it still lacked six years for the completion of the period of ten in which, according to the organic bull of 1536, the property of persons sentenced by the Inquisition went to their heirs, the delay in giving the character of perpetuity to this legislation did not involve any practical inconvenience. When the pope declared that the renouncement of confiscations rendered legitimate the demands of the king in other matters relating to the Inquisition, nothing could have been more reasonable than the maintenance of the existing situation, even though no conclusion were reached at the end of the four months set for the reply of the court of Portugal. The only point that might cause serious dissensions was the sending of a nuncio, in case the efforts of the New-Christians should overcome the opposition of Santiquatro. There lay the danger. It seemed highly plausible that a pontifical delegate should carefully scrutinize the proceedings of the inquisitors, and this scrutiny became the more plausible in proportion as the outcries of the converts against their unjust persecutions became louder. In fact, as we shall see, it was on this very ground that the struggle came to be renewed later on.

The year 1540 and the early months of 1541 seem to have passed without a renewal between the courts of Lisbon and Rome of the tempestuous discussions which, ever since 1533, had stirred them in regard to the tribunal of faith. The preceding considerations explain that temporary calm, and one does not wonder at the absence of memoirs and documents relating to the subject during this period. Probably the ministers of Dom João III adopted the system of delays, and of deliberate indecision, which under the circumstances was more convenient. But the efforts of the converts to improve their own bad situation did not cease, nor could they. The dark storm that had threatened them since 1536 had not caused such havoc as had been feared: but now the thunder was breaking forth with greater violence than ever, and the lightning flashes with increasing rapidity threatened to strike them down. Persecution grew and was organized. It was felt the Portuguese Inquisition was at last going to acquire the terrible character that had rendered that anti-Christian institution so dreaded throughout the rest of the peninsula. And indeed we find that from 1540 trials for crimes against the faith increased

³⁵ Brief of March 10, 1540, in M. 7 of Bulls, No. 17, in the National Archives.

with remarkable rapidity.³⁶ In its proper place we shall give an outline of the cruelties committed during that year and those immediately following, cruelties which furnished the Roman curia with plausible pretexts for following the vacillating policy which it found so profitable, interposing its authority between the Inquisition and the New-Christians, when by this means it could awaken the gratitude of the proscribed race, or the fear of their implacable persecutors. Just now it is necessary to cite certain facts which, though apparently foreign to the object of this book, had an influence on the progress of the struggle between Dom João III and his Hebrew subjects, and which serve at times to explain the phases through which this struggle passed up to the final consolidation of the tribunal of faith.

The bishop of Vizeu, Dom Miguel da Silva, brother of the Count of Portalegre, was, at that time, the king's private secretary, a position to which he had been appointed in 1525, and which in those times was about equivalent to that of minister of the kingdom. The circumstances of the appointment of Dom Miguel are intimately related to events that occurred fifteen years later. He had been educated in France and Italy, and had been distinguished in his youth for his high literary gifts. Having been sent to Rome as the ambassador of King Dom Manuel in the time of Leo X, he had there renewed the relations of his youth with the eminent men who adorned the pontifical court, which was the center of all that was brilliant in science and letters at that period. The pope had wished to retain him there permanently and to bestow upon him the cardinal's purple; but out of a sentiment of gratitude and patriotism, or because he had other ambitions, Dom Miguel preferred to remain in the service of his sovereign and of his country. When Clement VII ascended the pontifical throne, he thought of raising the Portuguese ambassador to the dignity that he had already once declined, but which, as it appears, he now seemed disposed to accept. This came to the knowledge of Dom João III, whose policy it was not to consent to one of his subjects having ecclesiastical prerogatives that entitled him to be on the same footing as members of the royal family. The former ambassador was ordered to retire, and was replaced by Dom Martinho de Portugal. When the new agent reached Rome, Dom Miguel da Silva wanted to show by his conduct that he was

³⁶ This fact is verified by an examination of the archives of the Inquisition in the Torre do Tombo. The trials of 1533 to 1536 are rare, and those of 1536 to 1539 are also few. It is from 1540 to 1547 that the number increases rapidly. It is true that when the Holy Office was done away with in 1820 and later, many of the reports of trials had disappeared. It is natural, too, that in the course of time many others should have escaped from the files of the tribunal. These losses, however, include trials from every period of the existence of the Inquisition, so that the proportion, taking one year with another, in the chronological order, has remained about the same.

worthy of the position to which a foreign prince desired to raise him, but which his own king, whom he had so long served, declined to permit him to accept. He told the pope that he meant to obey, and to leave Rome at once for Lisbon. In reality the sacrifice was not so great as might be conjectured from appearances. In his strong desire to prevent the promotion of his minister to the curia, Dom João III spared no promises of honors and benefits, promises, however, which were but poorly carried out. Upon his arrival in Portugal, Dom Miguel da Silva was, indeed, elected bishop of Vizeu and appointed to the eminent office of private secretary of the king.³⁷ At that time Dom Antonio de Noronha, Count of Linhares, brother-in-law of the bishop, held the office; but the bishop, in a way, considered that dignity as already his own because he had been the private secretary of Dom João III when he was a prince. Being confirmed in the office on the occasion of his recall, for the king had promised Clement VII that he would do so, he wanted personally to enter upon the duties of his office as soon as he reached the court. The brother-in-law, a favorite, and even a kinsman, of the sovereign, disputed its possession with him, and from this arose a contest between them that lasted for months. The episcopal dignity caused him no less annoyance; the presentation to the pope and the obtaining of the bull for the disposal of various benefits of his see were obstructed for a long time. Rumors were purposely spread concerning his moral conduct, which indeed may not have been of the strictest, seeing that he had passed his early years in the court of Leo X. Furthermore extra-official inquiries were made which tended to discredit him, Secretary Antonio Carneiro, who was especially active against him, being an adversary to be feared. Compelled to abandon his hopes of the cardinalate, and the compensations that Clement VII himself had arranged for being bestowed upon him with such clear evidences of repugnance, all these manifestations of ill will must have embittered his spirit, and made permanent the feelings between the bishop-minister and his enemies, who never afterward allowed him to regain the

³⁷ The story of the first part of the life of the celebrated Dom Miguel da Silva is found, not only in the *Lusitania Purpurata* of Macedo, in Pereira's little work, *Portugueses nos Concílios Geraes*, and in the *Memoria sobre os Escrivões da Puridade* of Trigo, rather imperfect works, but also in the briefs of July 7 and 30, 1525, and of March 23, 1526, in M. 26 of Bulls, Nos. 21, 22, 23, and in the letters of Dom Miguel himself and of Dom Martinho de Portugal, in "Corpo Chronologico," Part 1, M. 30, Nos. 55, 59, 61, 62, 63, 66, and M. 32, Nos. 56 and 60, in the National Archives. Much light is also thrown upon this first period by a kind of manifesto published by Dom Miguel in reply to a royal letter of January 23, 1542, by which he was banished from the kingdom, a reply of which we shall make much use. The biography of Cardinal da Silva which comes nearest the truth, though at times inexact, is that of Friar Luiz de Sousa, in the "Annals of Dom João III," Part 2, chap. 9.

confidence of the sovereign. Though Dom Miguel da Silva performed the external and official functions of prime minister, Antonio Carneiro, and later his son Pedro de Alcaçova, were always the ones through whose hands all business of chief importance passed, and to whom the king confided the most important state secrets.³⁸

The accession of Paul III to the pontifical throne seems to have revived the desires and hopes of the bishop of Vizeu for the purple. When he was in Rome, he had formed a close friendship with the new pope, who was then Cardinal Farnese, and the humiliations he had suffered were a rather strong inducement for him to make use of these favorable circumstances. It is not to be supposed that the affections of Paul III were so strong as to remind him of a foreigner, and an absent one at that, in order to appoint him to the sacred college; it is more likely that the bishop-minister asked for the promotion. In either case, it is certain that in December, 1539, the pope made Dom Miguel cardinal, reserving his appointment *in petto*, that is, leaving it unpublished, on account of Dom Miguel's being absent.³⁹ Shortly thereafter an unforeseen event seemed to bring the bishop of Vizeu the fruition of the new dignity. We have already said that the reason for the strong opposition of Dom João III to the raising to the cardinalate of any of his subjects was his invincible repugnance to one of them being able to rub shoulders with the infante, Dom Affonso. But the death of that infante in April, 1540, seemed to remove this obstacle. It did not turn out so. Dom Miguel took as a pretext for going to Rome the pope's convocation for the projected council; but upon his request to the king for permission, he received a positive refusal. When refusing the leave asked for, Dom João III advised him to pretend that he was sick; but as was to have been expected, the conscience of the prelate was just then possessed with the most profound horror of lying to God and to his vicar on earth. However, the king, who, though kindly disposed toward things ecclesiastic, and in spite of his slender literary education, was not altogether unskilled in subtleties and and casuistical distinctions, remarked to him that, as he had had a long illness, it would not be exactly lying to tell Rome that he was still infirm.⁴⁰

³⁸ Decree against Sr. Dom Miguel da Silva and reply to the said decree, etc., in the *Symnica Lusitana*, Vol. XXIX, folios 83 *et seq.*

³⁹ Oldoino, in the additions to Ciacconio (*Vitae Pontificum*, Vol. III, col. 676), states that from the documents of the Vatican it appears that Dom Miguel da Silva was elected in the secret consistory of December 12, 1539, the election being reserved *in petto* until December 2, 1541.

⁴⁰ "Mi disse ch'io . . ."—"He told me that I should pretend to be sick, to which I replied . . . that I would not lie to God and the pope, and when he told me that I had long been sick, and that it was no lie, I replied . . ."—"Risposta de D. Michele, etc.," *loc. cit.*, folio 92 v.

To this advice to practice a fraud that did not suit the bishop, the latter opposed a formal objection declaring that nothing could oblige him to remain in Portugal when it was his duty to go elsewhere. In order to obviate the manifest intentions of the prelate-minister, it was rumored, perhaps not without justice, that he had communicated to Rome what was going on. Whereupon the wrath of the king, either genuine or pretended, rose to the highest pitch. Secret orders were given for the bishop to be brought from Vizeu, where he then was, while a tower was prepared in which he was to be given rather disagreeable hospitality. But he, anticipating something of the kind, disappeared one night from the episcopal palace, and, leaving the kingdom, went to Italy, whither his ambitious plans called him.⁴¹ As soon as this was known, letters were written at once to Santiquatro and to Christovam de Sousa, who had succeeded Dom Pedro Mascarenhas in the embassy at Rome, to tell the pope of that strange affair and to request that, in case the fugitive prelate reached there, he should not listen to him, or even receive him. Besides these letters, Jorge de Bairos was sent as an extraordinary agent for the special purpose of looking after the matter. While these hostile provisions were being made, Dom Jorge da Silva, son of Count de Portalegre and nephew of the fugitive prelate, was ordered to go and endeavor to persuade him to return to his country. He took for Dom Miguel letters from the king, written by Pedro de Alcaçova, which were models of dissimulation. With soft words they endeavored to convince him that he had committed an imprudence in escaping secretly from the kingdom, and that he ought to return, if only to preserve appearances and as an evidence of his loyalty, and that later he would be at liberty to leave whenever he chose. To remove all fears, a solemn safe-conduct was sent him assuring him his life and liberty. But the bishop knew the court of Dom João III; he had powerful friends in his country, and from them he received news of what was being planned. His nephew had met him at Placencia, and if Dom Miguel was to return it would be necessary to pass through the dominion of Charles V. He knew the emperor had been notified of his flight by his brother-in-law, and he knew also that the Spanish ambassador was the one who was doing most against him in Rome. He knew, furthermore, that the ministers and magistrates of the empire were not obliged to respect a safe-conduct that was valid only in Portugal. As a matter of fact, orders to arrest him had been sent in every direction.⁴² Shrewdness he met with a boldness that was not devoid of dissimulation. He wrote to Dom João III

⁴¹ *Ibid.* Instructions without date (possibly to Balthasar de Faria) concerning the business of the bishop of Vizeu and of the Inquisition: Collection of manuscripts of S. Vicente, Vol. III, folios 134 *et seq.*, in the National Archives.

⁴² "Risposta de D. Michele," *loc. cit.*, folio 97.

that he would return to his country with due submission if a safe-conduct were given him, not by the king, whom he did not fear, but by his enemies. More than once he had been threatened with death, even in the presence of the monarch, by persons to whom he could not give a merited reply.⁴³ He required security for his life, and for his honor, satisfaction. The provisions required to induce him to return were such as to make their concession impossible: royal security must be against all who could mistreat him without distinction of rank; the infantes must write him with promises of satisfaction and with every evidence of kind feeling; his calumniators were to be punished; the king was not to make inquiries regarding his conduct, or give ear to his rivals; he was to live in his diocese, and the individuals he should designate were to be expelled from Vizeu; when absent from the court, he was to continue to be the king's private secretary, while someone of his own choosing should serve in his place.⁴⁴ Indeed he required things enough to cause the irritated mind of the king to make a complete refusal. Just the opposite happened. He soon received a dispatch granting everything he had asked for. This document was accompanied by letters from the king and the infantes which did not spare expressions of their benevolent sentiments. The same kind of language was used by the Count de Portalegre in speaking with his brother about the bishop. So everything tended to induce Dom Miguel to return to his country; and indeed Dom Jorge left Placencia with letters of his uncle in which he stated that he would return with the greatest promptness. But it was neither the intention of the king to comply with the ample promises he had made, nor that of the bishop to put himself in the hands of his enemies. They were both lying. After Dom Jorge da Silva, a certain Captain Correia had left Portugal for Italy, supplied with large sums of money and accompanied by soldiers and spies in disguise who followed Dom Miguel wherever he went. This man had made imprudent revelations concerning who had sent him, and about the orders he had received to have the bishop assassinated.⁴⁵ If we are to believe what he afterward said, that assassin had been hired by one of the infantes

⁴³ Possibly they were the infantes themselves: "*che uno di quelli . . .*"—" . . . for one of those enemies of mine in the presence of Your Highness and without any respect whatever had said against me that one day he had to become a weazel through killing a bishop, and that he had not done it so far, not out of respect for the community, but for His Highness, and that he did not yet know what he would do; and another said to me, speaking of my going to Rome for the council, that if I went he would kill me with his own hands; and they were persons to whom I could make no reply."—*Ibid.*, folio 98.

⁴⁴ Instructions, without date, in the collection of manuscripts of S. Vicente, *loc. cit.*

⁴⁵ "Risposta de D. Michele," *loc. cit.*, folios 100 v. and 101.

by order of the king.⁴⁶ When the bishop left Placencia for Bologna, Correia followed him, supposing that he was ignorant of his intentions. But the prelate had been warned, and the assassin was watched. In the letter to the king sent by his nephew, Dom Miguel made an artful allusion to this fact, attributing such an unworthy procedure, not to the king, but to his implacable enemies, and asking the monarch to shield him when he returned, for anyone who sent so far to have him assassinated would not spare his life in Portugal. As the bishop of S. Thomé, a Dominican friar and a person well thought of at the court, was passing through Bologna at that juncture, the wandering prelate charged him to tell at Lisbon what he had seen, and had palpable evidence of. More than once Dom Miguel had had the assassin in his power, and he himself had let him escape in order to save the honor of the crown of Portugal.⁴⁷ The king made no direct reply to the letters of the bishop, but he directed the Count de Portalegre and the archbishop of Lisbon to write him and to say to him that he thought his fears just, and that he would take all steps necessary to protect him from such snares. Dom Miguel was far from intending to fall into one of them; but he continued to make demonstrations to the contrary effect, demonstrations that were to justify him afterward. He asked for a safe-conduct to enable him to pass through the states of Charles V: the emperor refused it. That he had counted on. This refusal, which came from the requests of the court of Portugal, showed that the promises, concessions, and benevolent language of that court were nothing more than a trap set for his credulity. Probably by agreement with the pope, he then went to Venice where he was to live until an opportune time arrived for him to be proclaimed a cardinal.⁴⁸

These mutual messages and replies, and the subterranean intrigues that accompanied them, went on during the last months of 1540 and for a large part of the year following. Acting upon advices from Portugal, Santiquatro, the ambassador, Christovam de Sousa, and Jorge de Bairos had made every effort to interfere with what they probably supposed was merely an aspiration of Dom Miguel da Silva, but which in reality was already an accomplished fact, though not yet officially known. To the representations on behalf of Dom João III, in which the flight of the bishop was told and the benevolent intentions of the monarch in regard to him were manifested, the pope replied, accepting also a rôle in that

⁴⁶ "But he still insisted that the infante sent him to kill by order of His Highness."—Instructions, without date, in the manuscript of S. Vicente. In the manifest of Dom Miguel da Silva it is stated vaguely that Correia had been sent by a person who was present in the counsels of the king.

⁴⁷ "Risposta de D. Michele," *loc. cit.*

⁴⁸ *Ibid.* Instructions, without date, *loc. cit.*

comedy of mutual errors in which probably no one was deceived. Emphasizing his profound regret for the conduct of the prelate, he promised to use all his efforts to persuade him to return to his country.⁴⁹ It is possible that this promise of Paul III was the principal reason that Dom Miguel da Silva went to live at Venice for some time. However, in that contest of dissimulation and dishonesty the ministers of Dom João III had unintentionally furnished arms for their adversary when they undertook to deceive him for the purpose of getting him in their power. In the letters written in the name of the king, the legitimacy of all the bishop's complaints had been recognized, and imprudent testimony was given of his personal gifts and of his long services, while the hatred of the sovereign was concealed under expressions of boundless affection. When sent to Rome, these letters, which discredited the language of the agents of Portugal, took all the force out of their entreaties.⁵⁰ In the king's own letter addressed to the pope, complaints were mingled with promises of honors and rewards for the fugitive. And what was to be concluded from all this? It was that the purple well became so worthy a man, and one who was so much desired in Portugal. The principal obstacles to the already half-realized ambitions of Dom Miguel were the insinuations of Charles V, and the efforts of his minister in Rome, an opposition much more serious than that of the king in a court which, above all else, respected political expediency.⁵¹

While this question was being agitated, a matter insignificant in itself, but to which an importance it did not have was given by the ambition of an aged clergyman, and the pride, or rather vanity, of the king and his brothers, a more serious business was under consideration in the Roman curia. The period agreed upon with Dom Pedro Mascarenhas for concluding an agreement between the king and the pope regarding the Inquisition and the converts had elapsed long before, about the middle of 1541, without any conclusion having been reached. At least, as we have already noted, no traces are found either of negotiations or of pontifical acts relating to the subject from the time Dom Pedro Mascarenhas left Rome in the spring of 1540 up to this period. In Portugal intolerance went its own way in the open. Meanwhile the New-Christians, alarmed by the progress persecution had made, concentrated all their efforts upon obtaining the only means of salvation, or at least of alleviation, to which they could aspire under the circumstances. That was the sending of a nuncio. But they did not cease to insist also upon the dispatch of the declaratory

⁴⁹ Brief of October 11, 1540, in M. 25 of Bulls, No. 51, in the National Archives.

⁵⁰ Instructions, without date, *loc. cit.*

⁵¹ Letter of Christovam de Sousa to the king, December 8, 1541: Collection of Manuscripts of S. Vicente, Vol. I, folio 139, in the National Archives.

bull, that had not yet been announced, with new and more definite provisions, and to beg that confiscations be abolished at once, all of which had been promised them by Paul III through the intervention of Capodiferro.⁵² These promises and efforts were not unknown in Portugal, for the pope himself had made an announcement on the subject to Christovam de Sousa, conceding him barely two months' delay to enable him to communicate to his court the resolution in which the petitions of the persecuted were to be answered. Stricter instructions were therefore given to the ambassador to oppose the appointment of a new nuncio, and these reached Rome in the early part of August just as the pope was about to leave for Lucca, where he was to meet the emperor to attend to various political matters.⁵³ It was necessary to make the best of the opportunity. In an audience he obtained, Christovam de Sousa read to the pontiff the instructions he had received from his sovereign concerning the sending of the nuncio, translating them now into Latin and now into Italian.⁵⁴ When the reading was finished and the remarks of the ambassador had been heard, the pope arose visibly agitated, and, walking up and down the room, repeatedly made the sign of the Cross. In his opinion it was the devil who was inspiring such an unreasonable insistence.⁵⁵ The nunciature ought to be requested by Portugal, instead of being repelled; for those who sought favors of the apostolic see would there get prompt attention at less expense. As for matters relating to the Inquisition, he declared that no one could doubt his right and duty, through his own delegate, to look after the procedure of the inquisitors, against which so many complaints came before the pontifical throne; that appeal to the nuncio was inevitable; and that it was his duty to be just so much the more vigilant in preventing violence and injustice springing from the hatred of Old-Christians toward New-Christians, when it was certain that the moral responsibility for the acts of the Inquisition rested upon him who had instituted it. To these considerations he added an endless number of others which led him to regard the residence of a nuncio in Portugal as a question about which he was not at liberty to come to terms.

⁵² "Memoriale," *Symmicta Lusitana*, Vol. XXXI, folio 59 v.

⁵³ Pallavicini, L. 4, chap. 16; Correspondence of Christovam de Sousa, December 9, 1541: Collection of S. Vicente, Vol. I, folio 149 v.

⁵⁴ There is something curious given about this in the letter of Christovam de Sousa of December 9: "I explained to him, at times in Latin, which it seemed to me His Holiness did not well understand; and I have been obliged to learn the Italian language, for Your Highness may believe that they do not understand half of what is said to them in Portuguese, and the better it is spoken or written, the less they comprehend it; and if they almost grasp the substance of what is written, they are very far from it if written in good style."

⁵⁵ "He felt that this was work of the enemy."—*Ibid.*

Acting on the traditions of his predecessor, Christovam de Sousa made an audacious reply; for he was well informed regarding the motives for so much objection on the part of the pope. Diogo Antonio, who, as it seems, had not got along with any cleaner hands than Duarte da Paz, had been replaced as attorney of the New-Christians by a certain Diogo Fernandes Neto, a person who commanded greater confidence. To him the chiefs of the Hebrew race in Portugal furnished large sums through Diogo Mendes, a very wealthy New-Christian established in Flanders. Cardinal Parisio, who, while yet a professor at Bologna, had written extensively in behalf of the Portuguese Jews, was now their protector, and the reader, who is already acquainted with the customs of the Roman curia, doubtless divines the reasons that led him to protect them. Fernandes had promised him large sums if he obtained the re-establishment of the nunciature, and Paul III himself was to receive for it eight or ten thousand *cruzados*, while the future nuncio would enjoy a monthly pension of two hundred and fifty *cruzados*.⁵⁶ Such were the repugnant bargains that inspired the renewed pity of the Roman curia for the victims of the Inquisition.

These acts of flagrant immorality, concealed from the eyes of the common people, but known to the Portuguese ambassador, enabled him to reply with energy to the studied arguments of Paul III. He had some bitter truths with which to meet the pope's pretended scruples. He reminded Paul that there were many individuals in the curia who were requesting the office of nuncio in Portugal, and that it was therefore reasonable to suspect that those who upheld the policy of maintaining an apostolic delegate at Lisbon were influenced more by private interest than by justice. Those favoring it were not ignorant of the fact that Sinigaglia had taken to Italy the greater part of thirty thousand *cruzados*, and that Capodiferro would have taken as much more if storms and Turkish pirates had not robbed him of the fruits of his plundering. When interrupted by the pope, who tried to defend the honor of the two nuncios, Christovam de Sousa silenced him by reminding him that the corrupt practices of both of them were so well known that they did not admit of doubt, and that, in the tribunal of the Roman Rota itself, Sinigaglia had been inhibited from his functions and excommunicated for reasons that were certainly not to his credit. The audience was taking on the character of a violent altercation. To the pungent allusions that came from the lips of the ambassador, the pope replied with characteristic stubbornness, which in this case seemed to

⁵⁶ "The New-Christians have offered to give him (the nuncio) two hundred and fifty *cruzados* each month, and to give to the pope eight or ten thousand; I cannot say how much they give, but I know they give; and so too, to this Pariseo."—Letter of Christovam de Sousa, of December 2, 1541; Collection of S. Vicente, Vol. I, folio 135 v.

warrant the suspicions that were cast on him. The only concessions he made were to send the nuncio temporarily and to limit his powers. In this extremity Christovam de Sousa sought to bring him to terms through apprehension. He asked leave of him to declare in a public consistory the reasons why the Portuguese government was opposed to the sending of the nuncio. He had instructions and information enough from Portugal, besides those he was revealing, to establish his point before the sacred college. At the same time, he told him formally that inasmuch as the chief pretext for sending to Lisbon an apostolic delegate was the complaints against the Inquisition, his sovereign would prefer the suspension of the tribunal to the acceptance of the agent from Rome. But this absolute suppression, while ending the contest between the king and the Hebrew race, would dry up an abundant source of income for the curia, while the publicity of the discussion that Christovam de Sousa asked for was just what the pope most feared.⁵⁷ Remaining silent for a long time, and wavering between conflicting impulses, Paul III finally dismissed the ambassador, promising him that he would abandon his plans if the cardinals whom he meant to consult on the subject felt that in this act of courtesy he was not failing in his duties as supreme pastor. Knowing that the members of the sacred college whom the pope then consulted upon such matters were Cardinals Capi, Teotino, and Parisio, Christovam de Sousa resorted to every means to render them favorable, and likewise Cardinal Farnese. At the same time, he wrote to Santiquatro, who was then at Pistoja, representing the danger of the situation to him in lively colors, a danger in which he shared, seeing that his interests as grand penitentiary would suffer equally by the re-establishment of the nunciature. Pucci wrote a letter at once to Farnese, and another to the pope which was to be delivered to him by the ambassador. Carpi, Teotino, and Farnese promised him wholehearted support, and Parisio himself led him to believe that he would make no formal objections to his plans. Finally the pope, on leaving Rome during the last days of August, assured Christovam de Sousa that in Lucca he would take final action regarding the question of the nunciature.⁵⁸

Meanwhile the attorney of the converts was not idle. Both at Rome and while following Paul III on his trip, he never ceased to make public protests against the tyranny of the inquisitors, while exaggerating it. Ac-

⁵⁷ "And the cardinal, Santiquatro, told me that nothing had so perplexed the pope as my telling him that, as the nuncio went on account of the Inquisition, he might take it away so as not to send a nuncio, and also my asking him to give me permission to speak in public consistory, the thing he most feared."—Letter of Christovam de Sousa, of December 9, 1541, *loc. cit.*

⁵⁸ *Ibid.*

cording to his statements, the fires of the Inquisition never went out, while dungeons were choked with thousands of prisoners. The pope had used these statements in order to turn the sending of the nuncio into a matter of conscience. But the ambassador denied the fact, and even some of the converts, among whom was Ayres Vaz, the astrologer, confessed that there was exaggeration in the complaints of Diogo Fernandes.⁵⁹ In the midst of the intrigues that resulted from this struggle and prolonged it, the ambassador followed the pope from city to city through the papal states. But nothing was settled. He was not even listened to. The situation was a delicate one. Paul III wanted and hoped to obtain for his grandson, Cardinal Farnese, a pension from the income of the abbey of Alcobaça, and it was therefore important that he should not openly break with Dom João III. On the other hand, the offers of the converts were not to be despised. It, therefore, seemed wise to reconcile the two interests, and delays offered a sure means of accomplishing that purpose. Through the efforts of Santiquatro, who had joined the retinue of the pontiff at Pistoja, and the ambassador having received dispatches from Portugal which showed the possibility of Farnese's expectations being realized, the pope granted an audience to Christovam de Sousa at Bologna. But the ministers of Dom João III were also astute, and the favor expected for Farnese had not arrived. The question of the nunciature was taken up. The mutual recriminations of the last audience at Rome were repeated in this with even greater violence. Santiquatro spoke with warmth, inveighing against Sinigaglia and Capodiferro. Injury to his own personal interests inspired him.⁶⁰ But the conscience of the pope had received a new sense of honor, and the demands of the converts led him to maintain the decision regarding which he had shown signs of yielding. The heat of the debate and the outbursts of wrath put decorum to flight, and the uproar of loud discordant voices compelled the pontiff's chamberlain to clear the hall adjoining in order to prevent a scandal.⁶¹ In the midst of the discussion the pope actually admitted that the future nuncio would receive from the converts a monthly subsidy, in which, to the great astonishment of the ambassador, he saw no impropriety whatever, so perverted were ideas in the Roman curia. Christovam de Sousa appealed to certain phrases which Paul III had used in the presence of the general of the Franciscans

⁵⁹ Letter of Christovam de Sousa, of December 2, *loc. cit.*

⁶⁰ "The cardinal, Santiquatro, here said more than I expected of him, though it is very important to him that a nuncio should not go, for his penitentiary will not have any business from that kingdom."—Letter of Christovam de Sousa, of December 8, 1541, *loc. cit.*

⁶¹ " . . . and with enough or too much anger in these dialogues very high and almost shouting, so that the chamberlain of the pope emptied the other house, for they heard us very clearly."—*Ibid.*

regarding his intentions to meet the wishes of Dom João III; but the pope denied that any such words of his carried the idea of betraying the duties of the supreme pastor and the common father of the faithful, if the desires of the sovereign were opposed to those duties. In a new audience, held at Bologna, the ambassador became convinced that Parisio and the other protectors of the New-Christians, or, rather, the gold and the promises of the New-Christians, were preponderant in the curia. The disgust and weariness of such a tiresome struggle led him to leave that atmosphere of intrigue and prevarication for a few days. He wanted air and breathing space. Paul III had promised him to take no final action without communicating with him: there could be no danger, therefore, in leaving the retinue of the pontiff for a while. He, therefore, went to Venice, whence he intended to go to meet the papal party at Rimini on its way back to Rome.⁶²

We have already seen that the bishop of Vizeu, Dom Miguel da Silva, had gone to live at Venice until an opportunity should offer itself for solemnly declaring him cardinal. As soon as he knew of the ambassador's arrival there, he sought him out. Christovam de Sousa had fled from that maze of schemes and dishonesty called the Roman curia, but at Venice he found a man who, for dissimulation, was worthy to figure among the cardinals. The visit lasted two hours, and for two hours were repeated the protestations of the bishop regarding his great desire to return to Portugal. He was profoundly touched by the letters of the king and impressed by the manifestations of kindness he had lately received from the monarch and his brothers. To the somewhat ironical remark of the ambassador that he might easily satisfy his longings for his country by returning without delay to his diocese, the artful prelate replied that he was only awaiting the arrival of his nephew with the last orders of the king on this subject in order to do so. His only consolation for the long delay was the political services he had been able to render the crown while in Venice. In speaking of these services he probably sought to sound Christovam de Sousa, and to obtain from him some revelations; but his efforts were in vain, for the ambassador was made cautious by the bad impression he had formed of Dom Miguel. In his opinion the bishop's life, conversation, and conduct were entirely Italian in character, for he always said one thing when he meant another; in Italy the system adopted in treating of any business consisted, above all else, in never telling the truth.⁶³ Under pretext of having only a few hours in which to see Venice, Christovam de Sousa took leave of the bishop, in this way avoiding any involuntary indiscretion. A

⁶² *Ibid.*

⁶³ "He talks, lives, and acts like the Italians, who always say one thing for another, and hold it a good way to negotiate."—*Ibid.*

few days later, on his return from his excursion, he followed the pope from Rimini to Rome, showing himself more obsequious than any other courtier, and so concealing his profound displeasure. He had learned to profit by his lessons in Italian diplomacy.⁶⁴

Paul III had returned to his capital during the last days of October. The resentment that might have been aroused by the ardent discussions at Bologna must have been entirely softened by the evidences of resignation on the part of the Portuguese ambassador, and the latter had not entirely given up hope. So the redoubled efforts of the agents of the New-Christians for the prompt dispatch of the nuncio were met daily with new considerations and appeals. He reached the point of offering afresh, on behalf of the king, the perpetual renunciation of confiscations. In the opinion of the pope the offer was illusory; for the Inquisition was passing all bounds and violating all principles: only a little while before, some converts had been burned after their appeal to Rome had been accepted. Furthermore, even supposing there were anything left to be respected, it was not necessary to take up the question of confiscations at present, seeing that the period in which defendants for Judaism were exempt still had two years to run. Denying the odious acts with which the Inquisition was charged, the ambassador suggested through Santiquatro an alternative against which it seemed nothing reasonable could be urged. That was to send to Portugal, at the king's expense, an able man of learning to supervise the procedure of the inquisitors, the question of the sending or not sending of the nuncio to be decided later in accordance with the results of the inquiry. This alternative was generally satisfactory to the cardinals; and the pope finally accepted it, perhaps tired of importunities: and the idea of immediately sending an apostolic delegate died down for some time. Meanwhile the ambassador made haste to communicate to his court the concession he had obtained, warning the king in time so that he could bribe the syndic and could dictate to him such instructions as would be of advantage in opposing the re-establishment of the nunciature.⁶⁵ He further advised that on no account should they persecute the attorneys of the converts, or those who furnished them means, for such procedure would produce the worst possible effect in Rome, but that some other method be found to render the first less active and the second less generous. Such method, which the ambassador did not otherwise specify, was obviously corruption.⁶⁶

⁶⁴ *Loc. cit.*

⁶⁵ " . . . and if this learned man goes, he will be the cause of the nuncio's not going, for he will give information *in accordance with what Your Highness does and orders done.*"—Letter of Christovam de Sousa, December 2, *loc. cit.*

⁶⁶ *Ibid.*

But on the very day when Christovam de Sousa announced to Portugal an agreement which, while it did not altogether decide the question, did, by adjourning the matter, render possible a solution more in conformity with the desires of Dom João III, something took place that was bound of necessity to bring about a break between the two courts. Dom Miguel da Silva was that day proclaimed cardinal, and summoned to take his seat in the sacred college.⁶⁷ Why this act was so long delayed, or why it came about just at this juncture, it is not easy to say. It is probable that the messenger by whom the ambassador sent word to the king regarding the state of matters pending, and of the phases through which they had passed during the last few months, brought the news of that unexpected event.⁶⁸ At last the pope and the bishop had taken off the mask; the king and his ministers might now do the same. Blandishments, promises, invitations to come home, that had been used to cajole the astute old man into a pitfall, were henceforth useless. And so the display of rage and hatred, so long suppressed, had ceased to be impolitic. The first act of the government was to dispatch a royal letter fulminating against the new cardinal. The conduct of the prelate was there set forth in the most odious light; but, as was natural, the real reason for the attack was concealed. In that notable document, Dom Miguel was regarded simply as a bishop, and there was not the slightest reference to the purple with which he had been invested, as if the civil power were at liberty to ignore a dignity which the pope, and only the pope, could confer. The fundamental reasons for that document, the wording of which disclosed the blind rage that inspired it, were that the bishop, full of dignities and covered with honors, bound by oath loyally to serve the king, and as a vassal to obey him, had secretly escaped from Portugal, though expressly prohibited by his sovereign from doing so, taking with him papers containing state secrets that were in his hands as private secretary of the king, to whom matters of the greatest import were communicated; that later on, having been recalled to the country through excessive kindness, and favored with a safe-conduct so that he could return without fear of punishment, he had obstinately disobeyed, all of which acts rendered him unworthy of pardon. So the king deprived him of the office and of all honors and favors he had received from the crown, expatriating him, and depriving him of his rights as a citizen. This political excommunication was extended to all who might follow the absent prelate, who had correspondence with him, or who had

⁶⁷ Ciacconius, Vol. III, col. 676.

⁶⁸ According to Ciacconio, Dom Miguel was proclaimed on December 2, 1541, and it is worthy of note that in none of the three letters of Christovam de Sousa written this month, under dates of 2, 8, and 9, is there the slightest allusion to such fact. There must have been another letter on the subject which we have not found.

anything to do with his affairs. No one would be permitted to have any kind of dealings with him, whether gratuitous or otherwise, to give him anything in a will, or to be his heir. Thus the pride of a pious king fulminated even beyond the tomb, a man who was guilty of being a cardinal.⁶⁹

This document, so discrediting to the majesty of the throne, if we consider the motives which inspired it, was followed by a vigorous demonstration of anger against the court of Rome, a demonstration that all the dishonesty and baseness of which Dom João III himself more than once had accused it had never before been able to draw from the court of Portugal. A special messenger was dispatched to Christovam de Sousa to say that, if the pope did not give proper satisfaction in this matter, he and Jorge de Bairos should leave Rome.⁷⁰ It is to be noted that Sousa, like Dom Henrique de Menezes and Dom Pedro de Mascarenhas, in replying to the letter of the king, thanked him for his kindness in withdrawing him from the capital of the Catholic world; from this Rome which he compared to prostituted Babylon, and where the few remaining days of his stay seemed to him like living in hell.⁷¹

The promptness with which the ambassador counted on returning to Portugal was due to the lack of the required apology, which was, indeed, difficult to give. The pontiff could not dismiss Dom Miguel from cardinal dignity, and that was the one single act that could appease the irritated spirit of the king. But Paul III rested the propriety of his course, not on the impossibility of receding, but on the letters, both official and extra-official, addressed to the bishop of Vizeu for the purpose of deceiving him, the contents of which he brought forward in opposition to the representations of Christovam de Sousa and of Jorge de Bairos. Convinced of the uselessness of further attempts, the ambassador and his colleague abandoned the court of Rome, having concealed from Santiquatro himself the instructions received up to the day on which they requested an audience with the pope for the purpose of taking leave of him.⁷² They were forced

⁶⁹ Royal letter of January 23, 1542, in Andrade, "Chronologico de Dom João III," Part 3, chapter 82; Sousa, "Annaes de Dom João III," Part 2, chap. 9; Instructions without date in the collection of manuscripts of S. Vicente, Vol. III, folio 134.

⁷⁰ Letter of Christovam de Sousa, February 16, 1542 (rather torn), in "Corpo Chronologico," Part 3, M. 15, No. 70, in the National Archives; Sousa, "Annaes de Dom João III," *loc. cit.*

⁷¹ " . . . the favor of ordering me to leave this Babylon of confusion."—Letter of Christovam de Sousa, just cited; " . . . and these days that I am in Rome, it seems that I am in hell."—*Ibid.*

⁷² Instructions without date in the collection of S. Vicente, *loc. cit.*; Letter of Christovam de Sousa, February 16, 1542, *loc. cit.* Mutilations of this last document oblige us to omit some circumstances there referred to in regard to the withdrawal of the ambassador.

to this reserve by fear that, if the break between the two courts were known, the dispatch of various matters already decided might be denied them; and they feared this because they were acquainted with the character of the Roman curia.⁷³

Robed in purple, Dom Miguel finally removed the mask. The outbursts must have been so much the more violent on account of the necessity of meeting dissimulation with dissimulation for more than a year. To the royal letter removing and degrading him, he replied with a kind of manifesto, in which, protecting wherever he could the personal responsibility of Dom João III, and throwing all the blame upon his ministers, he revealed, at least in so far as it suited him, the baseness of the court of Portugal, and vindicated his own conduct against the charges made in the document in which he had been condemned to civil death without trial, the king being both judge and plaintiff. He denied formally and explicitly that he had taken with him any state papers when he left the country, for he was private secretary to the king only in name. He told of the dishonest means employed to prevent his going to Italy, whither he had been called by the pope, whom in such a matter he, as a bishop, was obliged to obey, since the holding of a council was under consideration. He treated with contempt the affectation with which the letter of banishment spoke of him always as the bishop of Vizeu, and the declarations made by Santiquatro in the curia to the effect that the king was acting against the bishop, and not against the cardinal, as if such a distinction were possible, and as if there were not the same violation of the principles of justice and of ecclesiastical privileges in thus proceeding against a diocesan prelate or against a member of the sacred college. He epitomized all the affronts and grievances he had been obliged to swallow after he returned from Rome to Portugal, and, while not denying the favors he had received at the hands of Dom João III, he reminded him that the necessity of bestowing those favors had been, in reality, imposed by Clement VII. He referred to the frankness with which he had spoken to the sovereign regarding his leaving the kingdom, the disgraceful expedients that had been suggested to him for disobeying the pope, and the dignity with which he had repelled such odious devices. He declared that no opposition had been offered to his leaving Portugal, but only later, when they wanted to arrest him under the pretext of his having illicit relations with the Roman curia. He explained at length the efforts that had been made to persuade him to return to his country, the eulogies that had been showered upon him, and the arts that had been used to entrap him, while at the

⁷³ " . . . because I know that these people are base enough to do anything, I decided not to speak to the pope until after having the bulls in my hand."—Letter of Christovam de Sousa, February 16, *loc. cit.*

same time attempts were being made to have him fall beneath the daggers of assassins. Here the manifesto was overwhelming, for in regard to all these infamies Dom Miguel appealed to the testimony of the bishop of San Thomé, of Santiquatro, and of Paul III himself. From the fact that Charles V refused him a letter of safe-conduct to pass through his states, on the supposition that he had been requested to do so by his brother-in-law, Dom Miguel concluded that he would have been arrested or killed long before he reached Portugal, if he had not been sure for these reasons that the benevolent expressions sent him from Lisbon were a mere trap; so that, when His Holiness was discussing with Santiquatro his innocence and merits, and referring to the evidence of the Portuguese government itself, given in the letters in which Dom João III recalled him to the country, the cardinal protector had declared flatly that such letters were nothing more than a scheme for laying hands on him, and that the result simply showed that the bishop had been more shrewd than the monarch. Concluding with a criticism of the penalties fulminated against him, he ridiculed his dismissal from an office from which he had himself resigned officially, and which of course he could not have held conjointly with the cardinalate. The removal of his name from the register of nobles and vassals also made him smile, and so did the depriving him of all the benefits, goods, and income received by him from the crown. He had received nothing from it, except what came from ecclesiastical sources, which could be disposed of only by the pope. The vain charge of plundering was, in his opinion, merely to deceive the ignorant, and to make them think him ungrateful to the king after having received such great favors. In referring to that part of the royal letter which banished him and deprived him of the privileges of a citizen, he pointed out that the government had exceeded its powers in this matter, and had struck at the most common rules of civil and canon law. The new cardinal ended his long defense by stating that in all that notable document there was only one thing that was true, and that was that his name was Dom Miguel da Silva. All the rest of it was simply a tissue of nonsense and fables.⁷⁴

After so many dissimulations and secret intrigues, an implacable war had finally broken out between the king and Cardinal da Silva. Matters had reached such a stage that neither of them was likely to lose any opportunity to strike at the other. One of the most obvious that presented itself to Dom Miguel was to join forces with the New-Christians and to be their

⁷⁴ "Risposta di Dom Michele," *Symmicta Lusitana*, Vol. XXIX, folios 86 *et seq.* " . . . del quale (decreto) non veggo . . . "—"In this (decree) I can see not a single clause or word that can be verified, except that my name is Dom Miguel."—*Ibid.*, folio 111 v.

most energetic champion in the curia. To oppose the Inquisition was to strike the king in one of his most cherished attachments, and the old prelate did not lack means of doing so, not only as a member of the sacred college, but also as a personal friend of the pope, an important circumstance and doubly effective because there was another Portuguese with whom Dom Miguel might join forces in the enterprise. That was the physician, Ayres Vaz, whom the Inquisition had imprudently allowed to go to defend himself at Rome. There Ayres Vaz had found in Paul III a sectary of the science of astrology, and the pope and the Jew were soon drawn together by that sympathy which springs from the identity of studies and opinions. The pontiff made Ayres Vaz his priest, familiar, and boon companion, and in order to show the esteem in which he held him, dispatched a bull exempting from the jurisdiction of the inquisitors not only all of the kinsmen, even the most remote, of his colleague in astrology, but even the lawyers who had defended him in Lisbon before the tribunal of faith, and their respective families as well.⁷⁵ With the hopes that sprang from these two influences, which it seemed ought to be efficacious, and from the break between the king and the pope, the agents of the converts were able to employ, with the probability of success, new efforts to better themselves in this stern life-and-death struggle in which they were engaged. They were incited to this not only by the present opportunity, but also by the progress of the persecution which was assuming greater proportions and was becoming more and more intolerable every day. The intervention of Dom Miguel da Silva in this affair, and the new phases through which the struggle passed until it had reached what may be regarded as its final development, will furnish matter for the remainder of this historical essay. From that stage onward the resistance and efforts of the Portuguese Jews are little more than the convulsive struggles of a dying victim in the claws of a wild beast. There it all is—the atrocities of the inquisitors, the duplicity and greed of the Roman curia, the fanaticism of the mob, the hypocrisy of many, and the corruption of almost everybody; but there is no hope for the victims, certainly none that is well founded and plausible. At the end of twenty years of deeds of darkness, of treachery, of crimes, of villainies of every kind, the Inquisition, established upon a solid foundation, ceased to have any fears of its own downfall. Rome hardly dared to dispute with it at long intervals the possession of a few victims, and even in those disputed cases she did not always win. The varied spectacle we have witnessed, which still lacks the scenes enacted during a period of six years, was followed by a silence, interrupted

⁷⁵ Bull of June 6, 1541, included in another of March 15, 1542, in M. 37 of Bulls, No. 49, in the National Archives.

only by the monotonous crackle of the fires, the sliding of bolts in prisons that had been turned into living tombs, and by groans that rose from the midst of the hecatombs. It is Alfieri's tragedy, following one of Shakespeare. Let the indulgent reader still follow us through the farthest recesses of this repugnant pandemonium, whither we have brought him, and which is lighted by so sinister a glow. He will yet be convinced that society in those times, which the ignorant or hypocrites dare point out to us as a model, not only was far from being equal to that of today, but, even when considered by itself, was profoundly depraved. No influences or conjectures of ours shall paint that epoch of moral decadence; the stubborn phrases of documents, and the very words of the principal actors in that long drama, shall furnish us, as they have done thus far, the framework of the rest of the narrative.

CHAPTER VII

GROWTH OF THE INQUISITION; THE COURT OF PORTUGAL; THE CONTINUED STRUGGLE BETWEEN DOM JOÃO III AND THE POPE OVER THE NUNCIATURE, 1542 TO 1543

While the events narrated at the end of the preceding chapter were happening, events which obliged the Portuguese government to order its ambassadors to leave Rome, the Inquisition, strengthened by the appointment of the infante, Dom Henrique, as its chief, and by the advantageous position in which the negotiations of Dom Pedro Mascarenhas had placed it, was finally manifesting its ferocious energy, hitherto restrained by the moderate character of the bishop of Ceuta and of a part of the members of the general council, but perhaps still more by the problematical nature of its future existence. Resting now on more solid bases, the minor courts of that terrible institution were multiplying, and six tribunals of faith, established one after another, were carrying persecution and terror into every nook and corner of the kingdom. The principal one was the Inquisition of Lisbon, having at its head João de Mello, the most resolute adversary of the New-Christians, and who might be considered as the real chief of the inquisitors. The one at Evora controlled Alemetjo and Algarve. The one at Coimbra was given jurisdiction in that diocese and in that of Guarda, while to that of Porto belonged its own diocese and the archbishopric of Braga. The authority of the inquisitor of Lamego covered that bishopric and that of Vizeu. Finally, in Thomar a Hieronimite friar, Antonio de Lisboa, reformer of the order of Christ, who had assumed inquisitorial functions on his own account, was confirmed in the office by the infante, thus establishing a private tribunal that was not exempt from the order. Each one of the Inquisitions of Spain oppressed an area not less than that of all Portugal. And yet this country, which had retarded for some time the scenes of atrocious persecution of which the rest of the peninsula had so long been the theater, at last saw the instruments and resources of religious intolerance sixfold greater in its own territory than in that of Spain.¹

¹ "Annotationes Criminum et Excessum Inquisitor," *Symmicta Lusitana*, Vol. XXXII, folio 257; Sousa ("De Origine Inquisitionis") mentions only the three Inquisitions of Evora, Lisbon, and Coimbra, probably because these were the only ones surviving. In a manuscript copy of the life of Friar Antonio de Lisboa, in the library

We shall leave until later the picture of the violence of every kind that characterized the first years of the long period in which the infante, Dom Henrique, performed the functions of supreme inquisitor. That picture, in which we shall be able to sum up innumerable horrors in a small space, will give us a clear idea of the moral state of that epoch, and of the real meaning of an alliance between fanaticism and absolute power, when both of them are free to exercise unlimited authority. At this point logical order rather than the curiosity of the reader requires us to follow the phases of the struggle in Rome from the time that Cardinal da Silva intervened, an intervention which gave rise, in part, to the recrudescence of the barbarities that characterized the proceedings of the Inquisition during the years from 1542 to 1544.

We have seen that, as a result of the stubborn insistence of Christovam de Sousa, Paul III had agreed to defer the sending of the nuncio, and, in concert with the influential cardinals, had acceded to the idea of sending a commissioner without diplomatic character to examine the acts of the inquisitors. With the withdrawal of the ambassador the efforts of the New-Christians, under the protection of Dom Miguel da Silva, continued, and this idea was abandoned in order to return to the earlier decision regarding the sending of a nuncio. Pero or Pier Domenico, the ordinary agent of the king, a man thoroughly posted about matters in Rome, put as many obstacles as the inferiority of his position permitted him to raise in the way of the efforts of the converts. The infante, Dom Henrique, had informed him concerning religious crimes committed in Portugal, which, in his opinion, justified the severity of the Inquisition. These crimes, whether genuine or supposed, were presented with an air of plausibility that must have caused men to hesitate. At that time even the charges of prisoners against their companions in crime or misfortune, charges usually made under cruel torture, and likewise confessions extorted from defendants by the *strappado* or the rack, were considered as means for getting at the truth, or rather, for condemning under plausible appearances anyone already mentally condemned by his judges. The Inquisition made great use of this expedient. Therefore it could be said in its support that the revival of persecution had been justified by its results, for it was no

of the monastery of Belem, now belonging to a private individual, are mentioned the documents relating to the establishment of the temporary Inquisition of Thomar, beginning in the year 1541, and the record of the first *auto-da-fé* held there in the early part of 1543. The one at Lamego was ordained about the end of 1542, as is inferred from the document in Drawer 2, M. 1, No. 39, in the National Archives. The one at Porto was already in existence at this time, as may be seen in a letter of Bishop Friar Balthasar Limpo to the king, dated October 20, 1542, in "Corpo Chronologico," Part 1, M. 72, No. 144, in the same archives.

longer through the denunciations and testimony of the Old-Christians that the existence of Jewish heresy on a large scale had been shown, but by the depositions and confessions of the imprisoned New-Christians themselves. These statements and confessions had cleared up some dreadful mysteries, exactly the ones needed to excuse the furies of intolerance. As an example, the case was cited of a shoemaker of Setubal, who claimed to be the Messiah, and who had succeeded in impressing many New-Christians by means of false miracles, inducing men distinguished for learning or wealth to follow him and to worship him. Others were pointed out who, assuming the character of prophets, brought back to the beliefs of Mosaism a large number of New-Christians by means of teachings in secret assemblages; and the worst of it was that this contagion of evil doctrines was also beginning to spread among the Old-Christians. The boldness of the Jews went so far that a synagogue had been found in the very capital itself.² Supported by these facts, which he brought to the knowledge of the pope and of the influential cardinals, Pier Domenico made a skilful attempt to delay the re-establishment of the office of nuncio in Portugal, or at least to have modified the instructions that would have to be given to the future representative of the pope regarding the Inquisition.³

The sending of the nuncio, however, had already been definitely decided upon. The ostensible purpose of that mission was to look after matters relating to the approaching meeting of the general council; but in reality its principal object had to do with the question of the bishop of Vizeu and with the complaints of the New-Christians.⁴ Luigi Lippomano, bishop of Modon and coadjutor of Bergamo, was the person chosen for that difficult task. The pope was said to esteem him as a pious, learned, and modest man;⁵ but the opinion of the ambassador, Christovam de Sousa, was far from being favorable. The choice of Luigi Lippomano was made while yet he was residing in Rome, and the reader will remember that, according to the confession of Paul III himself, the bishop-coadjutor of Bergamo had arranged to receive a pension from the New-Christians in Portugal.⁶ Thus in the hollow cheeks, the devout mien, and the austere bearing of the Italian prelate, Christovam de Sousa saw only the ridiculous evidences of a hypocrite.⁷ The agents of the converts did not cease to

² Letter of the infante, Dom Henrique, to P. Domenico of February 10, 1542, in Drawer 2, M. 2, No. 54.

³ Letter of P. Domenico to the king, March 23, 1542, in Drawer 2, M. 1, No. 33.

⁴ Instruction or Memoir in the collection of manuscripts of S. Vincente, Vol. III, p. 137, in the National Archives.

⁵ Letter of P. Domenico to the king, March 23, cited.

⁶ See *supra*, p. 476.

⁷ "According to his (the nuncio's) disposition and leanness, for he sets himself up as abstemious and religious, and he almost seems to wear on the borders of his

insist upon his departure, partly because they had confidence in him, for the pope had promised them (at the very time he was negotiating the contrary with Christovam de Sousa) to have put into effect by the new nuncio the declaratory bull, which Capodiferro had not put into execution, and also to dispatch another, forever abrogating confiscation for crimes of heresy, the necessary powers to be given to Luigi Lippomano to prevent the resolutions of the Holy See from being once more set at nought.⁸

The new nuncio really left Rome the middle of June 1542, but without bringing the two promised bulls, his excuse being that the formalities used by the chancellery in the expedition of those documents would delay his departure, which was a very urgent matter.⁹ The real reasons, however, were other: they were not only the consideration of the facts narrated in the correspondence of the infante, chief-inquisitor, with Pier Domenico, facts which the latter never ceased to urge upon the pope, accompanying them with long arguments, but also and principally the delicate relations in which the court of Rome found itself toward Dom João III. The way the Portuguese ambassador had taken his leave; the silence with which at the final audience he had met all the attempts of Paul III to provoke him to one of those violent scenes to which he was accustomed on the part of the Portuguese ministers when serious business was being discussed; the uselessness of the flattery to which he had then resorted in order to induce him to give or ask for explanations, all had left a lively impression on the mind of the pope, disturbed as he was by the extreme attitude taken by the king of Portugal.¹⁰ These circumstances imposed a prudent reserve upon the Roman curia, and required no common astuteness from the coadjutor of Bergamo, for whom ample instructions had been drawn up to guide him in the discharge of his mission. The memoranda for these instructions, which still exist, form one of the most important records we have for acquainting us with the epoch of Dom João III, with his court, with the most influential persons in it, with many notables in the country at that time, and finally with the policy of Rome. Intended to be kept secret when written, and

garments the phylacteries used by the followers of the ancient law . . . of this nuncio to have the hands of Esau and the voice of Jacob."—Letter of Christovam de Sousa to the king, from Lyons, France, April 13, 1542, Drawer 2, M. 5, No. 41.

⁸ "Memoriale" in the *Symmicta Lusitana*, Vol. XXXI, folio 59 v., et seq.

⁹ *Ibid.* The testimony of the "Memoriale" is precise. However the credentials of the nuncio addressed to the king are dated October 29, 1542 (M. 23 of Bulls No. 8), perhaps because they were sent directly after the departure of the bishop-coadjutor. The brief recommending him to the infante, Dom Duarte, is of May of the same year. M. 25 of Bulls No. 45.

¹⁰ The parting visit of the ambassador, Christovam de Sousa, is described in detail in a letter of the ambassador himself to the king, dated March 10, 1542, the last one written by him from Rome. In Drawer 2, M. 5, No. 27.

drawn up for the purpose of enlightening at once the pope and the nuncio, it is not to be supposed that there was, in the editing of it, any idea of deceiving anyone. The truth was what was wanted, especially under such circumstances, and it is not to be supposed that the shrewdest court in Europe would be deceived in its estimate of the men and of the facts that it was so important for it to estimate correctly. Let us, therefore, go over the contents of those memoranda, which must certainly excite the reader's curiosity.¹¹

After narrating the origin and development of the Portuguese monarchy, in accordance with the historical ideas of those times, reference was made to the favors and benefits received by the crown of Portugal from the Holy See, and especially to the abundant sources of wealth possessed by the clergy of that country, resources which the popes, on more than one occasion, had diverted largely to the national treasury. The ancient feudal relations to the church of Rome were recalled, and even the glorious revolution of Master d'Aviz was explained by the favor shown him by the curia, a favor without which he, a bastard and a member of a religious order, could not have obtained the crown and left it to a legitimate heir. Thus the nuncio was put in a position where he could conveniently appeal to ancient rights, and to a duty still more binding, perhaps—that of gratitude. The instructions then referred to the principal individuals with whom the bishop of Bergamo had to treat, and to the state of affairs in Portugal which might be of interest to the court of Rome. The infante, chief inquisitor, it was there said, in spite of his ill will toward the apostolic see, played such a sanctimonious part that, in order to keep up the character, he had to appear obedient whether he wanted to or not. It was necessary, therefore, to prevail upon him by a mixture of severity and gentleness (in case the pope should not wish to deprive him of the dignity of chief inquisitor) to seek a dispensation on account of his age, to ask for absolution for his conduct in the past, and to review and afterward to ratify the trials that were already completed, a matter that was considered indispensable to the dignity of the pontiff. The infante, Dom Luiz, was characterized as an impetuous man, who had much influence in the counsels of the king, his brother, on account of the boldness with which he intervened in public affairs. Both he and the infante, Dom Henrique,

¹¹ There was printed in England in this century, but without place or date, a Portuguese version of the instructions to the bishop-coadjutor of Bergamo, which are said to be taken from a library in Florence. It is an extremely rare publication, and we have seen but one copy of it. The text we have used is the copy of the original inserted in the *Symmicta*, Vol. XII, folios 19 *et seq.* The title of it is *Istruzione piena delle cose di Portugallo in tempo del re Gio III data a Monsignore Coadjutore di Bergamo, nunzio apostolico in quel regno, per ordine di papa Paulo III.* It was taken from the Vatican Codex, 829.

must be treated with as much deference as the king. Information regarding the queen, Donna Catharine, represented her as no less ambitious of political influence than Dom Luiz, an ambition that she knew how to reconcile with extreme devoutness. The characters of the chief prelates were sketched. The archbishop of Lisbon, principal chaplain and kinsman of the king, was described as an old nobleman of a kind disposition, well bred and timid, whom the sovereign honored with his intimate friendship. The prelate of Coimbra, perhaps the oldest bishop in the Catholic Church, was looked upon as an honorable man, living entirely away from the court, and easy to influence through his love of the Holy See. The one at Guarda was a man of evil life, who had contempt for Rome, but was of no importance whatever, for he also lived withdrawn from the court. The one at Porto, a Carmelite friar and the confessor of the queen, was unfriendly to the Roman curia, speaking against it in conversation and even in the pulpit. However, in spite of these manifestations and of his influence, he was regarded as a very timid man. The one at Lamego, a friar of the congregation of St. John the Evangelist, and inquisitor in Beira, was a person of small capacity and of mediocre learning, but not of bad disposition. Regarding the friars influential in the royal palace, the instructions spoke in greater detail. The impression of the curia regarding the future bishop of Coimbra, Friar João Soares, at that time simply an Augustinian, we have already seen.¹² Then followed an appreciation of two other Augustinians, Friar Francisco de Villa-Franca and Friar Luiz de Montoia, both of them Castilians and fashionable preachers, especially Villa-Franca. Montoia was regarded as a man of better regulated life than Villa-Franca, but the latter dominated him completely. They were both held in high esteem by the king and other persons in power. Another friar, Jeronymo de Padilha, a Spanish Dominican,¹³ was a man of influence in the court of Portugal. He was a man of letters and a preacher, but bold, and fond of innovations. As a reformer of the Dominicans, he had practiced violence and disobeyed apostolic orders, for which he was excommunicated; but he continued to exercise his ministry, showing contempt for censures. Finally, prominent among these more or less worldly prelates and regulars, was a Valencian Hieronymite, Friar Miguel, whose life was said to be immaculate, and whose austere frankness in the confessional was proverbial, regardless of who the penitents might be, a thing rare among friars, as the instructions noted. He had been the king's confessor, but

¹² See *supra*, p. 429.

¹³ In the instructions we are using, Friar Jeronymo is constantly called *il Padeglier*; but he can be no one else than Friar Geronimo de Padilla. On all of these friars see the "Diál. v. de Mariz" (*Reinado de Dom João III, ad finem*).

had been dismissed from that spiny position for having once refused to absolve him, an awkward situation, the repetition of which Dom João avoided by entrusting thenceforth the charge of his salvation to the easier-going conscience of Friar João Soares.

Among the noblemen, there were two against whom the new nuncio was to be on his guard. They were the count of Vimioso and the count of Castanheira, Dom Antonio de Athayde, chief favorite of the king. The idea suggested to Luigi Lippomano regarding Dom Antonio was that he should regard him as a traitor who wore the mask of a saint, a hypocritical means whereby he made himself acceptable to the friars who constantly surrounded the king. Through the intervention of these men, he and Vimioso had both acquired much church property. This was a matter that would bring them to terms, whenever the nuncio might wish to compel their respect.

In that kind of political and moral review there were spoken of at length the superior tribunals, the authority of which was exaggerated, and against the existence of which it was necessary that the nuncio should stand firm. Laws of the kingdom contrary to ecclesiastic liberty and to the canons were cited, and it was pointed out, as an example of the intolerable abuses practiced in the administration of justice, that ecclesiastics exempt from ordinary jurisdiction had been compelled to appear before a secular judge, the civil and criminal judge of the court, so that obscure clergymen were under their proper tribunal, while the privileged—those exempted by pontifical bulls from the jurisdiction of their respective dioceses—were obliged to plead before civil magistrates (the natural enemies of the priests), and that too without appeal to the pope. At the same time these judges were commanders and cavaliers of the military orders, strictly by such titles belonging to the ecclesiastical body, and yet passing judgment in criminal cases in violation of canonical regulations. The clergy's own court had become a mere mockery. When anything was decided in it contrary to the wish of the king, there was dispatched one of those so-called letters of the chamber in which the poor ecclesiastic minister was ordered to come to the court to talk with His Highness about matters of his service. But the king neither spoke to him nor dismissed him, so that many persons used up their means there, or they died there, without coming to any conclusion, a fate that awaited also any members of the clergy who might maintain their immunities in disobedience of the lay judges. If they wanted to escape this cruel servitude, the former had to revoke their own decisions; the latter had to submit. The Board of Conscience just then instituted was a new scandal that arose. Created as a consulting body to advise the monarch what favors he was obliged in conscience to grant or refuse, it at once became a tribunal, one in which

all the rights of the clergy were violated, and in which ecclesiastical matters were disposed of in contravention of the laws of the church and of pontifical decisions. Other excesses of the Portuguese government that struck at the authority of the apostolic see were the abandonment to the Mussulmans of Saffi and Azamor, the sending on its own account of cargoes of bronze to the East, which the infidel chiefs made into artillery, and, as was reported, the conclusion of peace with the Turks, to maintain which, tributes had been paid them to the value of a hundred thousand ducats a year, there having been included in the benefits of this agreement the states of Charles V, while those of the pontiff had been omitted, now that the situation was more critical, and this too without giving an account of any of these matters to the apostolic see, from whom permission had to be asked in order to negotiate with Turkey.

The political and economic state of Portugal at that time is described in the minutes of the instructions to the bishop of Bergamo in the darkest colors.¹⁴ The fact of the case is that the country was reduced to such a condition that it may be said that its forces were almost exhausted. The king, besides being poverty-stricken, with an enormous public debt, both within and without the kingdom, and obliged to pay outrageous rates of interest, was detested by the people and even more detested by the nobility; not because he was a man of bad disposition, but on account of the advice given him and the conduct of those about him. The questions with France regarding navigation and conquests, and some family matters involving the emperor Charles V, sadly overcast the horizon of foreign policy, and threatened Portugal with ultimate ruin. Though good and wise men foresaw and feared this, the king showed no signs of either foreseeing or fearing it. His policy was to yield before no consideration or danger, and to meet them all with vain discourses, thinking to overthrow his adversaries with bravado. This deplorable policy, however, was nothing more than the result of the suggestions of those around him. On this account the bishop-coadjutor was reminded of the necessity of disregarding all threats of the court of Lisbon in matters in which it seemed expedient to exhibit force, and on this subject the testimony of previous nuncios was cited. Moreover, Rome had three circumstances in her favor: a numerous clergy, the fanatical disposition of the common people, and the hypocrisy of the government itself. In regard to the best way to take advantage of these diverse elements there is a rather curious paragraph in the instructions: "The king and his brothers," it is there said, "whether the fact be

¹⁴ This picture is near the end of the instructions, but even there it is seen that *quello che si doveva dir prima si dirá per ultimo*: "What ought to have been said first, will be said last." In giving a résumé we follow the instructions only in the substance of the ideas, but, owing to their lack of arrangement, not in their order.

due to the friars, with whom they are constantly dealing and to whose letters and conscience they trust, or to some evil-minded persons with whom they take counsel, have never shown any good will toward the affairs of Rome. But they never fail to praise it to the skies when they obtain some concession that they want respected. It is said that the principal reason for their dislike of the nunciature is that they are always eager to usurp ecclesiastical jurisdiction, not so much for the purpose of possessing themselves of the property of the church, as to command in all things, placing and removing prelates and abbesses of the regular corporations according to their own convenience, summoning members of the clergy into the civil courts, and other similar extravagances. However, there is not the slightest doubt but that limits can be set to these irregularities, in view of the show they make of acting only on the advice of the religious, and in the service and glory of God,¹⁵ and in view of the character of the Portuguese people, so obedient to the apostolic see and so religious, with whom it would be a risky thing to play in such matters. With these two elements, and with a duly authorized nuncio, the government will find itself compelled to follow the straight road, unless those who surround the sovereign see that we are afraid of them, for in that case they will take from Rome all they can, and so far as we permit it. What is certain is that the nobility and a large part of the people cannot free themselves from the hands of the Roman curia in any way, nor can they act independently of it; for almost all of them, either through appointments or benefices, or leaseholds, or through clerical relatives, eat up ecclesiastical revenues secured by bulls and pontifical provisions, without which no one feels secure. Of this the former nuncios and the penitentiary can bear testimony, for there is not the slightest doubt about anything concerning which they do not require proofs and dispatches from the apostolic chancellery."

Having thus appraised the facts, the writer of these notes proceeded to deduce their practical consequences. In view of the decadence of the country, dexterity consisted in using the circumstances to extract gold from public misery itself. There were many ways of doing it, and of these we shall note only the most striking ones. The commanders of the military orders were obliged to take out briefs of confirmation, and to pay the emoluments of the apostolic chamber, inside of eight months after appointment. The greater part of them had not done so, and the returns for all this time belonged by right to the Holy See. It was a mine whose exploitation was worth more than a hundred thousand *escudos*. The com-

¹⁵ Anyone accustomed to the devout language of the official documents and diplomatic correspondence of Dom João III cannot fail to recognize the truth of these observations.

bination of the church revenues with the commanderies of the Order of Christ had been granted in the time of King Dom Manuel with the limitation that the revenues diverted from their legitimate use were not to exceed twenty thousand ducats, yet they now exceeded eighty thousand. If the pope wished to revoke that combination, the hierarchical clergy would pay an enormous sum, and if he decided merely to reduce it to the terms of the original concession, even then the beneficed clergy would pay a large amount to the pope. It was recalled also that the absolute power to make wills might be conceded to clergymen by paying a certain per cent to the apostolic chamber. It was a device to yield much money; for if they should thus remove the inconveniences and questions raised regarding the inheritances of ecclesiastics, the heirs would willingly endure the burden in order to escape from the demands and vexations of the exchequer. As it was a heinous sin to supply or sell arms or munitions to infidels to be used against Christians, and as the church had fulminated terrible censures against all traffic of the kind, and as it was also certain that the exportation of bronze to the Orient, on account of the crown of Portugal, had already resulted in Asiatic princes having more artillery than the emperor himself or the king of France, it was evident that extraordinary profits might be realized from these circumstances if they were properly managed. This matter of bronze was a very important one for the Portuguese crown, and the harm done by it to Christendom was enormous and beyond doubt. Pardon for the past could not be sold cheap, and a great evil done the Catholic Church could not be sanctioned for an insignificant price. Remission of the sin committed must be a dear one for the court of Lisbon, and not less so the privilege of continuing a sinful commerce, which would thus be transformed into an excellent source of profit for the curia. Another expedient no less interesting suggested itself. There were a great many ecclesiastical estates in Portugal held on life leases, and, as the leaseholders or the farmers wished them made perpetual, the nuncio was to be authorized to make the change. If it were granted, the farmer would gladly pay any tax required for the favor. But if the individual or corporation to whom the property belonged were opposed to this, the conversion might be refused, according to which one was willing to pay the more; for the direct owners should not obtain free the certainty of consolidating an advantageous ownership at the death of the persons holding the leases. This matter was put to the author of the instructions as one of great import; but the nuncio was recommended not to make any stir about it, and to handle the questions of conversion or nonconversion as they arose, possibly because it was to be feared that the civil power might intervene in a matter that might so seriously affect landed property.

Such were the subtle means by which, in the opinion of the Roman curia, large sums might still be drawn from an exhausted people. We shall not go into details regarding the various directions of minor importance given to the nuncio about the method of his entrance upon his duties, about his future procedure in Portugal, and about other matters. What has been said is enough to show the idea prevailing in Rome concerning this country, and what were the intentions and desires of the pontifical curia in regard to it. The part of the instructions relating to the New-Christians is what especially interests us, and we shall make extracts from it. In the moral and material decadence that had been generally reached in that epoch of profound corruption, we shall find the last touches of the sad picture drawn in this remarkable document.

In the opinion of the writer of the notes, the nuncio should take with him the declaratory bull promised the New-Christians, regarding the contents of which further controversies could not be permitted, seeing that it did not contain anything essentially different from what, after long and lively debates, the court of Portugal had accepted through her minister, Dom Pedro Mascarenhas. It was incumbent upon the nuncio to intimate to the infante, Dom Henrique, without asking royal permission, and without explaining why its expedition had been delayed, and replying to all objections, "that that was the final decision of His Holiness, and that they might appeal to him directly if they chose to do so." He was to refrain from the publication of the bull, even though the frightened converts might insist upon it, for such an act would serve them in no way, and it would be an affront to the king and his brothers in the eyes of the people. The only thing that was necessary to prevent their being proceeded against, save as provided in the new bull, was to give certified copies of it to all who wanted them, so that they might appeal to it whenever they wished.

The instructions added: "The king, it is said, is much interested in this business of the New-Christians, and both he and the infante, Dom Henrique, would much prefer to have no one call them to account on this subject. If they find a way to turn the mind of the nuncio, they will not fail to attempt it. For this reason, it is desirable that he go and speak to them resolutely, and that he take the power to suspend, and even to abrogate the Inquisition, showing this authorization to anyone he chooses, and proving to those interested in its existence that it is in his hands to put an end to a thing that they value so highly. It is also necessary for the nuncio to know that it is commonly reported that the infante, Dom Luiz, is madly bent¹⁶ upon maintaining the new tribunal and in making it

¹⁶ *E molto arrabiato*, ("is very rabid").

extremely severe, because he has received positive orders to that effect from the emperor. The latter has various reasons for so acting. The chief one is the fear that, if the Portuguese Inquisition should be suppressed, the example might be fatal for the Spanish Inquisition. The other reason that moves the emperor is that, with the Inquisition established in Portugal, the Spanish refugees lose that place of retreat, and so both they and the Portuguese will take refuge here and there in countries of the empire or in its dependencies, there already being a large number of refugees in Flanders who open up their purses when it is necessary."

Such were briefly the most interesting parts of the instructions prepared for the bishop-coadjutor of Bergamo. From them it follows that the course of the curia was determined solely by the desire to maintain its own influence and to get the greatest gains, however ignoble, even from the poorest and most oppressed of all the Catholic nations. As for Portugal, one gathers from this singular document that, in spite of the haughty language of the monarch in his diplomatic relations, the country had reached extreme decadence and weakness, and that, notwithstanding the external manifestations of exaggerated devotion and violent zeal for the purity of the faith, corruption was profound and hypocrisy great. There may have been here and there a slight error in the presentation of the facts on which the instructions were based, but the general estimate of them was correct. As we are not writing the history of the reign of Dom João III, we could hardly bring together here all the existing evidences of the irremediable moral and material decadence of the country at that said period, a decadence which affords more than a sufficient explanation of the approaching end of our independence. Meanwhile, in order that the reader may see whether the Roman curia was well informed, we shall mention certain facts characteristic of this economic poverty and of this perversion of customs from which they hoped in Rome to gain such decided advantages.

Elsewhere we have had occasion to refer to the difficulties of the public exchequer in the time of Dom João III and to the bad economic administration of the kingdom. The records of the courts of 1525 and 1536 throw much light upon this subject. Some statistical notes regarding later years are still more enlightening. These are the notes of the Count of Castanheira, controller of the treasury, and therefore a man especially well fitted to appreciate the financial situation. In 1534 the public debt was more than two millions, an enormous sum at a time when the ordinary estimate or receipts and disbursements probably did not reach one million *cruzados* annually.¹⁷ Loans were raised in every possible way,

¹⁷ Sousa, "Annaes, Memoriale," *e* Doc., p. 385.

and as we have said elsewhere¹⁸, the interest alone on the money borrowed in Flanders rose to one hundred and twenty thousand *cruzados* in 1537.¹⁹ In 1543 the foreign debt was already approximately equal to the entire public debt of 1543.²⁰ The interest on these loans had been so exorbitant that the total amount exceeded the principal. The Portuguese agent in Flanders calculated that it was 25 per cent per annum on the average, so that the debt doubled every four years.²¹ To relieve these intolerable burdens, in so far as possible, the king asked from the Third Estate, in the courts of Almeirim in 1544, two hundred thousand *cruzados*, and was offered fifty thousand.²² He then resorted to individual loans. For this purpose he had letters written to the wealthy persons of the kingdom, signifying to each how much he was expected to contribute.²³ These invitations from the founder of the Inquisition were not to be neglected, and generosity must have become a rather common virtue, though agriculture, commerce, and industry might suffer from this absorption of capital. Even before 1542, matters had reached such a state that judicious and experienced people were almost thoroughly discouraged. Never within the memory of man had there been so thorough a disorganization of the public treasury. Neither the king nor his subjects could longer meet their obligations, and it was easy to foresee that they would become less and less able to do so. When once the ruinous road of loans had been entered upon, it was never abandoned, and the state lived almost exclusively by that expedient. As needs grew, an effort was made to sell interest-bearing securities—that is, to join the permanent internal debt to the external debt—and, in spite of the objection of the count of Castanheira, titles of public indebtedness were sold without limit. The sale stopped only when there was no longer anyone who would buy. The controller of the treasury himself found that no more money could be raised, not even from the sale of jurisdictions, that is, of crown rights, for the simple reason that no one had money to pay for them. But foreign loans also must soon cease in the opinion of the count of Castanheira, and all the sooner when it was found that the king of Portugal took no pains to reduce expenses, or to create new resources for the maintenance of the state.²⁴

¹⁸ See *supra*, pp. 414–15.

¹⁹ Sousa, *op. cit.*, p. 401.

²⁰ *Ibid.*, pp. 409 *et seq.*

²¹ Sousa, pp. 410 and 417.

²² *Ibid.*, p. 417; *Memor. de Litter. da Acad.*, II, 102.

²³ Sousa, *op. cit.*, pp. 412–13.

²⁴ Letter of the count of Castanheira to the king, *ibid.*, p. 456.

It is thus seen that the ideas received in the Roman curia in regard to the economic situation of the Portuguese people were not inexact. The impression one gets of the moral condition of the country from the instructions given the new nuncio is no less certain. With want and weakness came a breaking down of conduct under the outward appearances of fervent piety, just as poverty and debility clothed themselves in the trappings of splendor and used the haughty language of omnipotence. From the many witnesses of this sad truth we may select two who seem to be entirely above suspicion. They will be Dom João III himself and the Carmelite Friar, Francisco da Conceição, a Portuguese friar, a man of letters, and a member of the Council of Trent at the time when it had its temporary seat at Bologna. This Carmelite took it upon himself to inform the fathers of the council regarding the moral and religious condition of his country, in order that the general assembly of pastors might remedy the evils he deplored. To this end it was essential that he should disclose them with perfect frankness. And he did so in a kind of report that has come down to us, and which may be regarded as a confirmation and completion of the picture taken from the official documents of Dom João III himself.

Being constantly involved in ecclesiastical questions, and especially in monastic matters, and, as we have just seen, leaving the state to go to the utmost ruin, the king of Portugal amused himself in the leisure moments left him by the affairs of the Inquisition, by thinking of the creation of new sees, of transferring monasteries from one order to another, of reforming, establishing, or suppressing others, of introducing friars into the ecclesiastical hierarchy, of interfering in the struggles of ambition regarding monastic prelacies, and of all the other affairs of the kind, often quite beneath the consideration of a king. The reform of the university, a generous and great idea at first, had descended to the proportions of an intrigue of the cloisters, especially after the entrance of the Jesuits into the kingdom. The ecclesiastical questions therefore rendered the position of the envoy of Rome the most laborious of all, and the correspondence with the ministers and agents of that court the most voluminous. Anyone who would like to gather, amidst the dust of the archives, the immense harvest of shame and misery exhibited by this correspondence would probably grow weary in the middle of such a repugnant undertaking. For our purposes it is enough to use some of the facts that so abundantly indicate the moral and religious decadence of that deplorable period.

If we are to believe Dom João III and those who spoke in his name, immorality flourished on all sides, especially among the clergy, and par-

ticularly among the regular clergy whom he favored so much. For example, the ecclesiastics of the vast diocese of Braga were a finished type of dissoluteness. The priests abandoned their churches, and the people did not receive the necessary religious education, and yet there was no punishment for such irregularities.²⁵ The monasteries exhibited the same evidences of profound corruption, especially distinguished among them being that of Longovares of the order of Saint Augustine, and those of Ceiça and Tarouca of the Cistercian order²⁶; or rather none of the Cistercian monasteries was especially conspicuous, for in all of them abuses were intolerable. The abbots, who, according to the rule, held their positions for life, recalled by their manner of living the dissolute barons of the Middle Ages. Their wealth was exhibited in expensive and sleek saddle horses, in hawks and hounds, and in a numerous following, some of them rounding out this life of luxury with concubines and children, all of which they maintained at the expense of the monastery. The monks lived in the same style, in debauchery and brutality, often acting as the servants of the abbot, so that, in the opinion of the king, the order of the Cistercians was composed entirely of ignorant profligates.²⁷ The convents of nuns were in no better condition, those of Chellas, Semide, and others being the theaters of continuous scandals.²⁸ The story of Lorvão and its abbess, Donna Philippa d'Eça, is one of the most characteristic pictures of that period. At that time Lorvão contained one hundred and seventy nuns, counting the professed nuns, the novices, and the lay sisters. The Eça family was all-powerful there. For the last sixty years the abbesses had always been chosen from it, and during as many more dissoluteness had been rampant in Lorvão. Of the nuns then actually there, a part had been born in the monastery. Their mothers were not only not ashamed of bringing them up in the convent and for the convent, but they also kept their sons there. Donna Philippa herself was one of these bastards, and she remained faithful to the traditions of her mother. She was away when Donna Margarida d'Eça, the preceding abbess, died. Those who had lived during their early youth with Donna Philippa, and who counted

²⁵ Collection of correspondence and original papers of the reign of Dom João III belonging to Sr. A. J. Moreira, Book 19 (Instructions for the erection of the sees of Miranda and Leiria).

²⁶ *Ibid.* (Instructions for changing or annexing the monasteries of Ceiça, Tarouca, Longovares, S. Fins de Friestas, etc.)

²⁷ "From which it follows that in the said monasteries (of Bernardines) the religious inmates are not good men and of good religion, but are ignorant and men of little learning."—Original Correspondence of Balthasar de Faria, folio 195 (Letter of the king, of August 21, 1546), in the Ajuda Library.

²⁸ Letter of the king to B. de Faria of September 6, 1545, *ibid.*, folio 138.

on her indulgence, sent for her and elected her the successor of Donna Margarida, while the latter was on her deathbed. The king wanted to replace the new prelate with a nun from Arouca; but the partisans of the elected abbess objected. There followed a long investigation in Portugal and in Rome, full of strange disclosures. The most remarkable of these was that on a certain occasion Donna Philippa and another nun had been found concealed in the house of a priest of Coimbra, along with his ordinary mistress, who was wanted by the court. The pen refuses to describe the condition in which they were all three found.²⁹ Such were the dissoluteness and scandals of which we shall find records in the most unexpected documents.

But if these reveal to us the state, not only of the hierarchical clergy, but also of the Portuguese monastic orders, the considerations presented by Friar Francisco da Conceição to the fathers at Trent are of a general character that embraces all classes, and disclose ulcers of a different kind but no less loathsome. The bishops, with rarest exceptions, never lived in their dioceses, but contented themselves with sending vicars-general to them, a charge which, as a rule, was entrusted to those who would undertake it most cheaply, however unworthy they might be. Bishops of regions beyond the seas did not even go to that trouble, and those more or less remote countries were therefore entirely deprived of pastors. According to this good Carmelite, the superstitions of women, especially in the convents and in the houses of the nobility, were monstrous, besides others relating to public worship to which we have already alluded.³⁰ Sigillism had been introduced on a large scale. Under pretext of its being for honest purposes, and with the permission of penitents, confessors revealed the secrets of the confession. Abuses and unbecoming conduct in the pulpit were of daily occurrence. There were nominal preachers enough, but few in the true acceptance of the term, and those few were treated with disdain. The common run of them sought to gain honors and money by flattering the passions of their auditors. The people were ignorant of religion because the sacred orators dealt only in vain subtleties. One of the worst evils that afflicted the kingdom was the excessive multitude of priests. In one small village there were as many as forty, with the result that they were always competing with each other for masses, burials, and other religious services to the great scandal of the people. These scandals went beyond all bounds in the prodigious number and in the immoralities of those who belonged to the clergy merely be-

²⁹ Letters of the king to B. de Faria, November 19, 1543, and July 9, 1546, *ibid.* folios 36 and 185.

³⁰ See *supra*, p. 285.

cause they had taken minor orders. Many took this degree for the sole purpose of procuring exemption from civil jurisdiction. One of the common abuses practiced by such persons was to marry clandestinely, because they could then transgress without danger, for, if they were tried for such a crime as murder, they denied the jurisdiction of the secular tribunals, and their wives, in order to save them, did not hesitate to villify themselves before the magistrates by declaring themselves concubines. Some of these men were so low that, after availing themselves of the declarations of the women who had sacrificed for them the last thing a woman can sacrifice, her fair name, they abandoned them, using the generous confessions that had saved their heads to break the sacred though secret ties that bound them to the unfortunate creatures. These clandestine marriages, which facilitated such horrors, and which were exceedingly common, produced other and no less deplorable results. The existence of a fact that could not be proved was often denied, and fear of the severity of parents led many daughters to accept a second marriage when they already belonged to another man. Even when matters did not go to that extreme, shame and fear led to infanticides on a large scale. On the other hand the difficulty of obtaining dispensations for marriages between relatives and the high price demanded for them completed the work of clandestine marriages. Prevented by lack of means from making legitimate marriages that were forbidden, unwilling to abandon the women they loved, and staggering under the weight of church censures, many persons trampled under foot all religious sentiment, neglected all external forms of worship, and fell into a kind of brutal atheism.

A few years ago an admirable book³¹ profoundly stirred mankind by describing slavery in the American states. The repugnant and painful scenes described in that celebrated book might have taken place in our own country in the middle of the sixteenth century with a change of names and places, but painted perhaps in darker colors. If we are to credit the narrative of the informer of the fathers of Trent, the life of the slave in Portugal at that time was truly horrible. Can a people accustomed to see a part of their fellow-creatures thus treated fail to be corrupted, and can they preserve the instincts of nobility and generosity? The enslaved Moors and negroes, and others brought from various regions of the earth, and who were baptized, never afterward received the slightest religious instruction. Of faith they had none, for they were entirely ignorant of the creed, and even of the Lord's Prayer, and this was not due solely to the neglect of their owners, but also to the laxity of the prelates. Concubinage was permitted among them, the baptized and the unbaptized

³¹ *Uncle Tom's Cabin*, by Harriet Beecher Stowe.

mingled freely, while illicit relations were tolerated between slaves and free. Owners favored this looseness as a means of increasing the number of children, like one looking to the increase of a herd of cattle. The children of slaves to the third or fourth generation³², even though baptized, were marked on the face with a red-hot iron in order that they could be sold; for this reason mothers who wanted to avoid the sad destiny that awaited their children attempted to produce abortion, or committed other crimes. The ill treatment received at the hands of their owners so increased the hatred in the hearts of the slaves that it often led them persistently to refuse a baptism that brought them no relief. Indeed, there were no distinctions in the cruelties they suffered. The punishment usually inflicted upon them was to burn them with lighted firebrands, or with wax, fat, or other melted substances. One circumstance aggravated the treatment given these unfortunate creatures. A large part of them were not taken in war by the Portuguese, nor had they been bought of those who had captured them in the wars between the barbarous nations and tribes of Africa, Asia, and America, but were men naturally free, and had been carried off by sailors, and brought to Portugal, where they were placed in perpetual slavery. Finally, the legitimate marriages between slaves and free persons, which were rather common, became for the owners a means of satisfying the lowest and most ferocious instincts of cruelty, and of enjoying the sight of the most pungent griefs of the human heart. When a free man wanted to redeem his slave wife, the owner objected, and often this aspiration gave rise to scenes of violence and bloodshed, or to the poor woman's being sold in distant lands, thus breaking, out of wicked caprice, the bonds sanctified by the church.³³

Such was the state of religion and morals in a country that had been plunged into the extremes of intolerance, and where heaven was to be won with the fires of the Inquisition; such was the economic condition of this same country, which was driving from its midst, or judicially assassinating, its most active, industrious, and richest citizens, thus destroying one of the principal elements of public prosperity, while the disorder and extravagance of an incompetent government were throwing into the whirlpool of usury all the resources of the state. It is evident from her secret

³² "*In tertia etiam et quarta generatione*," "even to the third and fourth generation." Servile families, especially blacks, Indians, and Americans, cannot yet have got beyond the third or fourth generation, in view of the period of discovery and conquests. And of the captive Moors from Barbary there could be but few, on account of the frequent necessity of exchanging them for Christian captives.

³³ F. F. a Conceptione, *Annotatiunculae in Abusus*, in the *Symmicta Lusitana*, Vol. A, folio 182 v.

notes that the court of Rome, which, in its official relations with the Portuguese court, not infrequently flattered the vanity of the king and of the kingdom, understood how to estimate correctly the merits of the one and the force of the other. The reader, however, being in a position to value the correctness of the appreciations of the curia, is equally able to judge the sentiments of honesty and unselfishness, and especially the Christian charity that was the guiding star of the policy of Rome toward a nation poor and corrupt, which she herself regarded as superstitious and fanatic, and toward a king she regarded as incompetent, and whose moral force was reduced, as she herself said, to cloaking his utter weakness with the empty formulas of haughty language.

If, as we have seen, in spite of the withdrawal of the diplomatic agents of Portugal, the court of Rome did not fail to send to this country a nuncio to transact pending business, on the other hand, and in spite of a kind of rupture with the pontifical government, Dom João III did not abandon the field to the converts in the struggle regarding the tribunal of faith. At the very time when preparations were being made for the departure of Lippomano, Doctor Balthasar de Faria, judge of the *Casa de Supplicação* (tribunal of the second instance), was sent to Italy to look after the affairs of the Inquisition, though not as an ambassador. He was to be helped in this connection, not only by the ordinary agent Pier Domenico, but also by a certain Master Jorge, and by Friar Geronimo de Padilla, who were in Rome at this time for the same purpose.³⁴ Arriving there early in July, the new agent found easy access to the pope through the intervention of Pier Domenico and of the cardinals who favored the aims of Dom João III; but, in spite of this, for months he made no progress whatever with the question of the converts. The reader is already but too well acquainted with the useless audiences, the reports of the cardinals, and with the endless debates with which in Rome they knew how to delay the conclusion of any business of a thorny kind or one disagreeable to the curia. All of these embarrassments rendered the position of Balthasar de Faria doubly difficult, in view of the fact that the ministers who had preceded him, having had the standing of ambassadors, could use the moral force of their positions to overcome certain obstacles and trickery, against which they only required decision and energy, while he, with more limited powers, was far from being able to act with the haughtiness of his prede-

³⁴ Letter of Pier Domenico to the king, July 27, 1542, Drawer 2, M. 5, No. 17. Original correspondence of the king with Balthazar de Faria, folio 5, in the Ajuda Library, Letter of January 20, 1543. From the letter of the attorney of the New-Christians to Jorge de Leão, of May 18, 1542 (Drawer 2, M. 2, N. 51), it is seen that Friar Geronimo de Padilla had been in Rome since May, looking after the business of the Inquisition.

cessors, and especially that which Dom Pedro de Mascarenhas had so successfully employed. This was one of the chief advantages that the converts had gained from the breaking off of diplomatic relations between the courts of Lisbon and Rome.

In the meanwhile it is certain that in spite of these things which apparently favored the cause of the Portuguese Jews, and of the protection, doubtless sincere, of Cardinal da Silva, that cause, which seemed to be gaining ground, was really tottering to a fall, a fall the evidences of which we can now discover in contemporary documents. To will is almost always to succeed; the very rare thing is the will; and it is a common error to mistake desire for will. Desire measures obstacles; will overcomes them. Dom João III willed the Inquisition: his counselors willed it. Whether it was from cupidity or fanaticism, the will of the king, in accord with that of his ministers, was immutable and fatal as is every will at the climax of its energy. That is what wins. In such a state of mind, the landmarks which separate moral from immoral, just from unjust, virtue from crime, sanctity from abomination, disappear from the spiritual sight of one whose only thought is fixed upon one unwavering purpose. When matters come to such a pass, there may be difficulties, but there are no impossibilities.

The Portuguese Jews felt this, but perhaps without explaining it to themselves. In everything they did, in their intrigues and their cunning plots, in the sacrifices they made to strengthen themselves in the struggle, discouragement is plainly visible. It seems as if they saw unfolding upon the horizon the final victory of their adversaries. In the very presence of a renewal of severity on the part of the Inquisition, instead of strengthening themselves by uniting in concert of purposes and acts, they were disunited, vacillating, and timid, allowing their funds to run low, perhaps refusing them to the agents in Rome charged with the common defense. Each one undertook individually to obtain for himself and his own, often through these same agents, briefs of protection that might put them beyond the reach of persecution. The experience of the past and the warnings of those to whom they applied in Rome could not convince them of the uselessness of such documents, the provisions of which the inquisitors easily annulled with legal subtleties and denials of jurisdiction.⁸⁵ Fa-

⁸⁵ Letter of May 18, 1542, cited above in Drawer 2, M. 2, No. 51. This letter, a copy without signature, was from the attorney of the New-Christians, Diogo Fernando Neto, as appears from the instructions without date found in Vol. III of the collection of manuscripts of S. Vicente, folio 136. See also the letters of P. Domenico of this same year, Drawer 2, M. 2, No. 53, and M. 5, Nos. 17 and 38, and the briefs of protection in favor of various Portuguese Jews, in M. 17 of Bulls, No. 14, M. 25, No. 14, M. 37, No. 49, etc., in the National Archives.

naticism, irritated by the obstacles that for so many years had been raised to its decisive triumph, had, besides this one, another means of rendering those briefs of protection useless: by exciting the ever cruel mob to practice against Hebrew families the scenes of violence and anarchy that we shall find described further on, and to which legal persecutions were certainly preferable, since there the formalities, at least, of a regular trial, and something that bore a semblance of justice were preserved.

The news of the coming of the nuncio, in spite of the efforts of Pier Domenico, in the state in which things were, and in opposition to the latest agreements reached in Rome before the interruption of diplomatic relations, must have disturbed, and in fact did violently disturb, the court of Lisbon. Either it meant disregard of the energetic demonstration of displeasure shown the pope by the election of Cardinal da Silva, or it carried evidence that Paul III, setting aside his dignity as a sovereign, thought only of fulfilling the promises made to the New-Christians—that is, of opposing a strong barrier to the acts of the Inquisition, a course which seemed entirely to justify the public report that the coadjutor of Bergamo had been completely sold to them. In truth, the ostensible mission of the new nuncio was to treat with the king regarding matters relating to the future holding of the general council; but this pretext deceived no one, for everybody knew, in Rome as well as in Portugal, that Luiz Lippomano must have more important business.³⁶

One thing, however, that happened in the meantime definitely settled in men's minds the course of action that should be adopted in relation to the pontifical envoy. This fact, like the divinity of the Roman poet coming out of the scenery to disentangle the complicated tragedy, justified the bold decision taken at that juncture. And it not only justified it, but rendered it indispensable. Its singular opportuneness furnishes a reason for suspecting that this occurrence was a story invented to serve political purposes; nor will the suspicion of falsification seem too bold in connection with a court and a period in which the secret assassin was regarded as a permissible expedient.³⁷ It is certain, however, that the documents we

³⁶ In the letter attributed to the bishop of Vizeu, summarized in the instructions without date in Vol. III of the collection of S. Vicente, folio 137 v., it is said that the mission of the nuncio relative to the council was a mere pretext, and that the real reason of his coming was the matter of the bishop's cardinalate. That is possible; but the documents already cited prove more than sufficiently that the matter of the Inquisition and of the New-Christians were of no less import in that mission.

³⁷ See *ante* Chaps. IV, V, VI, pp. 387, 396-97, and 482. Besides the facts cited in those places, we have direct and unquestionable evidence that the assassin was an ordinary instrument of government in the pious times of Dom João III. Men who made use of the assassin's dagger as an instrument of administration could hardly hesitate much about using the pen of a counterfeiter for political ends. The original of the docu-

have regarding it does not enable us either to affirm or absolutely to deny the reality of the event.

About the middle of 1542 the *juiz de fora* of Arronches presented himself at the court, bringing with him some packages of letters, which he claimed to have taken from a courier coming from Flanders, and which he proposed to place in the hands of the king. But why this spontaneous and uncalled-for seizure? And why did this magistrate come personally to deliver to the king packages of letters of the importance of which he was ignorant? The records of that time do not explain this mystery.³⁸

ment we refer to is in the "Corpo Chronologico," Part 2, M. 162, Doc. 120, in the archives of the Torre do Tombo. It is as follows: "Francisco Lobo, I, the king, send you much greeting, and trusting that you will do what is expected of you, wish to put in your hands a matter of so much importance to my service, which, when done by you, shall always be remembered of great service which in this you have done me: which will be in the manner and with so much care that in no way it may be suspected whence it was done, which otherwise would be more disservice than service: and I say that in this ship that has just come from India which is in the islands, came Domingos Vaz, pilot, with Bastião Roiz his nephew, which Domingos Vaz I have now been informed that he does not come from India except with the desire to do me disservice, by advice of many persons who remain there, that I much desire to know who they are, for he brings their signatures and wishes in writing in order the better to follow up his evil purpose: and because there is no suspicion of him, he succeeded in boarding a ship that was going to the Canaries in order to go from there to Castile: and because I know that he cannot fail to come to this city of Malaga, or thereabout I order you to so behave that you may be informed of his coming to this land, and knowing it, that he be killed, and cost what it may, and with such prudence as should be taken with my great secret, which whether done or not done will never go beyond you and Fernam d'Almeida, who will give you more information and a full description of him, for he goes by way of the Canaries to Bucalo and to other places: and what Fernam d'Almeida hears from you will need to be proved, and in this matter you can trust him entirely, done in Lisbon, April 26. —Done by Antonio Carneiro, 1530.—King. *Postscript*—By the King to Fr. co. Lobo, cavalier of his house, factor in Malaga.

"I, Fernam d'Almeida, esquire of the king our master, say that it is true that I have received from Fr. co. Lobo, factor of the said senhor, one hundred *cruzados*, and one horse saddled and bridled, by virtue of a letter of the king, our master, in which he ordered me to do some things of his service, and because I have received all of him [...] I have given him this done and signed by me at Malaga on June 22, 1531.—FERNAM D'ALMEIDA.

"At f. 186 L^o. [livro] 2.^o are set down as expenses forty-eight *milreis* paid to this Fernão d'Almeida, thirty-seven *mil* five hundred *reis* in money and ten *mil* five hundred *reis* for a horse bought for him. He has received the money."

³⁸ "It happened some days later that the *juiz de fora* of the town of Arronches brought to the king, our lord, certain packages of letters *which he said* he had taken from a courier, etc."—Instructions in the collection of S. Vicente, Vol. III, p. 135 v. This kind of instruction, or rather diplomatic record, is the only document in which we find the apprehension of those letters specified.

There were two packages: one addressed to Nuno Henriques, a Hebrew merchant of Lisbon; the other to Master Jorge Leão, one of the men most influential among the New-Christians. The first package, containing a letter of the agent of Nuno Henriques in Flanders, enclosed some others without addresses; in the second was a letter of Diogo Fernandes Neto, and another also without an address. In the one from the agent of Nuno Henriques as well as in that of Diogo Fernandes, it was obscurely hinted to whom the ones without addresses should be delivered, but in the one addressed to Master Jorge, the attorney of the New-Christians said that much was due to the man of Vizeu, for he had helped him as a good friend, and that the enclosed letter should be given to his wife in person.³⁹ When the package and the five letters without addresses were opened, it was found that these letters were in cipher. The words *man of Vizeu* led to the belief that the mysterious correspondence might be that of Cardinal da Silva. The suspicion may have been subtle; reasonable it was not, for the former bishop of Vizeu had certainly not left a legal wife in Portugal to whom a letter of his could be delivered. But what especially leads one to doubt whether that correspondence and its seizure were or were not an invention, a political comedy, is that a proclamation was issued announcing a reward of three thousand *cruzados*, an enormous sum for those times, for anyone who could read those ciphers. An individual appeared who succeeded, and the king could finally be sure of their contents. There are hundreds of documents from which one sees what frequent use the Portuguese government and its agents outside of the kingdom made of this method of communicating secret matters. The ministers of Dom João III must have been skilful in deciphering such documents, more skilful, indeed, than anybody else. How was it to be expected, then, in spite of these noisy announcements, that an obscure interpreter should appear who was more skilful than the officials of that divining art? How, in fact, did this man appear? Why did they forget the simple and obvious means of obliging the two New-Christians to whom the correspondence was addressed to state who the persons were to whom they were to deliver the ciphers, and then to apprehend these persons and to use the *efficacious* means to which they were accustomed to resort to get at the interpretation of the mysterious letters? At least those to whom the letters were directed must have known how to read them. The issuing of

³⁹ *Ibid.* In the extract of this letter contained in the instructions or diplomatic memoir the phrase is ambiguous. The possessive *sua* (his) may refer either to the wife of the *man of Vizeu* or to that of Diogo Fernandes. But in the copy of this letter which is found entire in Drawer 2, M. 2, No. 51, it is clear that the reference is to the wife of the *man of Vizeu*.

the proclamations and the offering of the reward were, in reality, luxuries of publicity and ostentation for those times.

However that may be, the contents of the letters were highly compromising to the pope, to Cardinal da Silva, to the expected nuncio, and to the New-Christians. One would say they were purposely made for the circumstances. From their tenor and style it was clear that the author of them was the bishop of Vizeu. In one he boasted of his influence in the court of Rome, and of the resolution to proceed against the king and the kingdom, on account of the outrages attempted in connection with the affairs of himself, the bishop-cardinal, which would have been done already, had it not been for fear of vengeance being taken upon the person to whom he was writing. He told how the ambassadors had left Rome in a dazed state of mind, and he regretted that the severity of the times did not permit of his having them stabbed, but he hoped that his kinsmen in Portugal would reward them properly for the kind services they had done him. He spoke of how the pope had tried in various ways to get the king to mend the irregularity of his conduct, and how he had answered the letters of the emperor, who, at the request of his brother-in-law, had written him on this subject. The nuncio extraordinary, then on his way to that sovereign, was taking with him such instructions on this subject that Cardinal da Silva hoped that Charles V would be his best protector, and in reality he had already promised to intervene in his favor with the king, notwithstanding which, it was necessary to have favorable Luiz Sarmento, Spanish ambassador in Lisbon, as was already the Marquis de Aguilar in Rome, and this would be rendered easy by his forwarding for him certain matters that were before the curia. He added that the chief object of the coming of the bishop of Bergamo was the question of the bishopric of Vizeu. On account of its security he was sending the correspondence through Nuno Henrique, to whom he was infinitely obliged, and in whose affairs he was working with all ardor, in co-operation with Diogo Fernandes Neto. In this matter all had been done that he could desire. Justice would triumph; there was no reason for doubting it.⁴⁰

If Dom Miguel da Silva really wrote those letters, it must be confessed that, aside from the misfortune of their having been captured, he was no less unfortunate in the choice of subjects. Unless it was his purpose to encourage the person to whom he wrote to trust in his influence and fortune, one cannot see what necessity or important business led him to sing the paeans of his own glory in five letters in cipher. One would

⁴⁰ Collection of S. Vicente, *loc. cit.* We have used only the principal points of these extracts, for many of them are merely repetitions of the same ideas in different ways.

say that he thought only of writing papers which, if disclosed, would stir up against him the emperor and his ambassadors in Lisbon and in Rome, which would show that the pope was his tool, which would reveal the secret instructions given the nuncio, and finally, would show his intimate relations with the New-Christians, whose attorney he seemed to be rather than Fernandes Neto himself. For a man of the world, and one who had grown old in the intrigues of politics, the error was altogether too crude.

The letter of the agent of the New-Christians to Master Jorge Leão, in which one of the cipher letters was said to have been found, completed the revelations concerning the nuncio, Lippomano. From that it appeared that Diogo Fernandes found himself in great straits for lack of remittances from Lisbon, so that he could pay to the bishop of Bergamo one thousand *cruzados*, without which he had been unable or unwilling to leave Rome. He announced that through him he would write more at length to the leading men of the *nation*. Upon this person depended the safety of all. A bull had already been sent to suspend the arbitrary acts of the Inquisition, and the Roman curia had promised to take into account the money that this had cost, when the general pardon which the New-Christians requested, and which had already been promised them, was sent. Neto sent various briefs of exemption or pardon requested by various Hebrew families, but he asserted that all this was lost, not only because the inquisitors would quibble about them, but also because the general provisions that were counted upon would render them useless. These provisions depended entirely upon the arrival of the coadjutor of Bergamo in Portugal. It was on this that the common salvation depended; in this he himself saw the end of anxieties, labors, and even of the vilest calumnies of which Rome was then the target.⁴¹

The letters thus taken, along with others of various New-Christians, obtained we know not how, by the infante, Dom Luiz, and already sent by him to Santiquatro to be shown to the pope,⁴² justified some sort of energetic procedure on the part of the king. To prevent the coming of the nuncio seemed immediately urgent. Such at least was the idea of the majority of the inquisitors and of their partisans, and even those who saw therein an affront to the Holy See agreed that, though they might allow the bishop of Bergamo to come, he should not be permitted to ex-

⁴¹ Letter of May 18, 1542, in Drawer 2, M. 2, No. 51. This letter, which is only a copy, refers not only to a letter *without an address* for the wife of the *man of Vizeu*, but also to briefs of pardon for certain persons named Pedro de Moreiro and Maria Thomaz, which were all enclosed. In the Instructions or Memoir of S. Vicente it is merely said that one of the letters in the package was without address.

⁴² See the letter of Francisco Botelho of December 26, 1542, in Drawer 2, M. 1, No. 49, which we shall use later.

ercise his office and jurisdiction.⁴³ André Soares was sent to Spain furnished with a letter from the king to the new nuncio and with instructions on the subject, while at the same time Francisco Pereira, minister at the court of the emperor, was written to for the purpose of finding out when and by which road Luigi Lippomano was coming, and that he should give what information he had to André Soares, who was to stop at Valladolid for the purpose of making similar inquiries.⁴⁴ The letter to the bishop of Bergamo was rather concise. The king intimated to him in moderation, but with firmness, that he should not continue further on his trip until he had new orders from the pope, to whom he had written concerning the inconvenience of his coming.⁴⁵ As for the rest, reference was made to the verbal communications of André Soares. In the instructions given to Soares he was told to assure the bishop of Bergamo, not in the name of the king, but on his own account, that, if he insisted on continuing his journey, he would not be allowed to enter the kingdom, and that if he presented himself as a simple messenger of the pope, without the character of a nuncio, they would make him leave as soon as he assumed that character or performed the slightest act of jurisdiction.⁴⁶ That mission had the desired result, and Luigi Lippomano did not venture to cross the frontier of Portugal. By writing to the king he sought to change his mind, but the king had made a final decision and all his efforts were in vain.⁴⁷

Meanwhile Charles V, to whom these disagreements of his brother-in-law with the pontiff were rather unpleasant, intervened, and after taking up the matter with the nuncio in Spain and with the bishop of Bergamo himself, undertook the office of mediator. The king did not hesitate to admit the new nuncio, if he were strictly prohibited from having anything to do with the affairs of the Inquisition, and from saying a single word in favor of the bishop of Vizeu. He was moved to deny Luigi Lippomano all and every kind of meddling in matters relating to the tribunal of faith, not only because it was said that he was coming in the pay of the Jews, but also because of what might be inferred from the conduct of former nuncios, who had been corrupted by bribery, and had done so much harm. Sending to the pope a letter on that subject, which was to be delivered

⁴³ Report of the learned men concerning the coming of the nuncio Lippomano.—Collection of Sr. Moreira, Quad. 11, middle.

⁴⁴ Rough drafts of the letters to the nuncio and to Francisco Pereira, and of the instructions to André Soares, *ibid.*, *passim*.

⁴⁵ There are two rough drafts of the letter to the nuncio, but they are identical in substance.

⁴⁶ Instructions to André Soares, *ibid.*

⁴⁷ Letter of the king to Francisco Pessoa, treasurer of the prince of Castile, of September 11, 1542, in Drawer 2, M. 9, No. 43, in the National Archives.

to Paul III by the Spanish ambassador, he recommended to the person who had been especially charged to take up the subject with the emperor that in the mediation, which he had not only undertaken, but had even requested, no concessions should be made on the points on which his mind was made up, and that the matter should be arranged with the greatest possible dispatch.⁴⁸

These things occurred in the autumn of 1542. In the preceding August the king had dispatched Francisco Botelho to Rome, not as an ambassador, but simply as an envoy. He went for the purpose of laying before the pontiff the intercepted correspondence of the New-Christians and Cardinal da Silva. The letter to the pope, which served as his credentials, consisted of only a few lines, and referred strictly to the special object of his mission. But the king wrote more at length to Santiquatro, and in that letter he asked the cardinal expressly to acquaint the pope with its contents. It was a long and pained expression of regret at the unjust and deplorable action of Paul III toward the most devoted son of his church, and at the credit given the deceptions of the enemies of the monarch, while his own statements were disbelieved, though they were in the end fully justified by the scandalous documents that he was sending to be placed before the pontiff. To the other cardinals who had shown themselves to be more or less favorable toward the court of Portugal he wrote to the same effect, though more briefly. The instructions given Francisco Botelho were to the effect that he should see to it that the pope should hear the reading of the papers entrusted to him, and which were not to leave his hands, taking with him transcripts in Italian, of which copies might be made. He was forbidden to make any explanations on behalf of the king, and he was ordered to remain in Rome only in case the pope so directed. In this last event, he was not to discuss officially with the pope, with Cardinal Farnese, or with any person whatever, the question of the coming of the nuncio, or any other matter relating to Dom Miguel da Silva (with whom he must never be seen) but without failing to speak earnestly on those subjects simply as a private individual. His instructions specified what he might say in this latter character, so that he should not compromise the court of Lisbon, and that it might not be inferred from his words that there was any intention of yielding.⁴⁹

These precautions facilitated the mediation of the emperor and concurred with it. The letter sent in the name of the king to be delivered to

⁴⁸ *Ibid.*

⁴⁹ The instructions to Francisco Botelho, the letters to the pope, to Santiquatro, and to various cardinals, are partly in rough drafts and partly in contemporary copies, in the collection of Sr. Moreira, Book 6, toward the end.

the pontiff by the Spanish ambassador at Rome was carefully thought out and discussed.⁵⁰ It emphasized the rectitude and unselfishness with which the Inquisition was proceeding, the affront offered the monarch and the infante by sending a nuncio to watch over the acts of the tribunal of faith, the disastrous effects of the profuse concession at Rome of briefs of exemption and pardons to New-Christians who asked for them, concessions which resulted in the contumacy of the prisoners and crimes of Judaism which were daily committed in the kingdom, and which obliged the Inquisition to act with redoubled rigor and vigilance. Finally it was pointed out that the correspondence of the agent of the New-Christians and that of Cardinal da Silva, which had been brought to the knowledge of His Holiness by Francisco Botelho, while revealing great scandals and justifying the attitude of the king toward the bishop of Bergamo, showed with ever increasing clearness how well founded were the reasons for the requests addressed to the Holy See by the court of Portugal during so many years, and proved the necessity of the adoption of a policy more in accord with the purposes of the prince and with the interests of Christianity.⁵¹

Meantime Francisco Botelho reached Rome and soon obtained an audience with Paul III for the purpose of presenting the documents of which he was the bearer. It does not appear that they produced any great impression on the mind of the pontiff, who fell asleep while his secretary was reading them.⁵² Botelho pretended no less indifference and took his leave as soon as the reading was finished. And that impressed the pope, who probably expected one of those violent scenes which he was accustomed to have with the ministers of Portugal. Seeing him about to leave, Paul III asked if he wished anything more of him. He replied coldly that the king had sent him for no other purpose, and that if he had been a little late in the discharge of his mission and in returning to his country, it had been due to the difficulties of travel and to an accident that had happened to him on the road. The pope could not conceal his anger at the sight of such independence. He showed himself highly displeased

⁵⁰ See the memoranda for this letter in Drawer 2, M. 1, No. 38, that were rejected, the rough draft made by the *learned men* in the same drawer and package No. 20, on the back of which it is stated that it was not [used], and finally the one which seems to have been preferred, all in No. 19.

⁵¹ Minutes in Drawer 2, M. 1, No. 19.

⁵² " . . . all of which he read to him to the end, and His Holiness dozed at times."—Letter of Francisco Botelho of December 26, 1543 (that is 1542) in Drawer 2, M. 1, No. 49, and original in the collection of Sr. Moreira, Book 9, middle. Though dated 1543 it belongs to 1542, on account of its having been written on December 26, and the new year beginning there on Christmas Day. Otherwise this letter would contradict the chronology of events.

at the obstacles raised to the entrance of the bishop of Bergamo into Portugal. Botelho replied that he only knew what was common information in regard to that affair. It was said that the nuncio was in the pay of the New-Christians, and that the letters he had brought as well as those the infante, Dom Luiz, had sent Santiquatro proved that the popular reports were not unfounded. Of these last-mentioned letters the pope had not heard. Upon making inquiry about them it was learned that Cardinal Farnese, to whom Santiquatro had delivered them, *had forgotten* to communicate them to his grandfather. The reply of Paul III was a lengthy defense of the bishop of Bergamo, who really bore a high reputation for virtue at Rome, affirming that someone else than he may have received these sums. As for his purposes in sending him, he protested that they had been solely to take up with the king the matter of the future council.⁵³ How far this statement was sincere the reader can infer from the preceding narrative.

Still maintaining his character as a simple messenger, Francisco Botelho then went to the various cardinals for whom he brought letters from the king, showing each one of them the intercepted papers. The pope sought to hush up the scandal through the medium of Santiquatro; but Francisco Botelho stuck to the orders he had received and insinuated that, after making each cardinal privately acquainted with the letters of Dom Miguel, he intended to present them in full consistory. It was therefore necessary to arrange a compromise. Pier Domenico was a creature of the king of Portugal, and entirely devoted to him as his ordinary agent in Rome. He was therefore chosen as an envoy to Dom João III, at the same time taking with him orders to the bishop of Bergamo who was detained in Spain, and, upon his entrance into Portugal, he was to be limited to treating matters relating to the meeting of the future council. The nuncio was then to return to Rome, or, if he decided to remain, he was to confine himself within the limits the king might place upon his authority.⁵⁴

The mission of Pier Domenico removed all difficulties. Men's minds were tranquillized by the assurance that the nuncio would abstain from interference in questions concerning the New-Christians, and the king could be sure that the negotiations regarding Cardinal da Silva would not be started afresh. So an order was issued permitting the entrance of the bishop of Bergamo into the kingdom, and on the king's invitation he went to Portugal at once.⁵⁵

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ Instruction or Memorial without date in the Collection of S. Vicente, Vol. III, folio 139.

But this new change of policy on the part of the court of Rome regarding the interminable question of the Portuguese Hebrews was not out of keeping with all of the earlier phases. As material interests had been, up to that time, the usual incentive of the course of the curia, the abandonment of the cause of the persecuted was not due solely either to the mediation of Charles V, or to the energetic decision of Dom João III. There was another subject also under discussion, and it is probable that considerations regarding it may not have been disconnected with the choice of a man whom everybody knew to be the agent of the king at Rome, as the pope's mandatory. As we have seen in the preceding book, for a long while Cardinal Farnese, a grandson of the pope, and his minister, had hoped, by appealing to rights more or less well founded, to obtain a pension of three thousand *escudos* in gold from the income of the monastery of Alcobaça. It is not our intention to go into the history of the reasons for this claim and of others of the kind which had constantly to be decided in regard to members of the sacred college. Year after year the revenues of ecclesiastic benefices were burdened by the concessions, enlargement, and suspension of these favors. As the preferment to some of these benefices belonged to the pope alternately with the civil power, the concession of such pensions was sometimes the result of the ceding of the right on the part of the apostolic see, and the passing of that right to the crown. The claim of Farnese belonged to the latter category. At other times there were suppressions, annexations, or divisions that the temporal power wanted to make in these same benefices, and this could not be carried out without the intervention of the spiritual power. In such cases Rome did not forget to gain pecuniary advantage from the whims of a prince who paid more attention to these matters, often puerile, than he did to the administrative irregularities that were bringing about the total ruin of civil society. Again, and finally, there were spontaneous favors with which, under difficult circumstances, adverse influences in the curia were won over, new friends were made, the attachment of old ones strengthened, and difficulties were solved that not infrequently were manufactured for the very purpose of having this remedy applied. From the correspondence of the Portuguese ministers to the apostolic see, we have cited more than once passages that show that it was not alone the large sums spent by the New-Christians that caused the benevolence of Rome to incline toward their side from time to time; this eloquent means of persuasion also serves to explain the sudden severities toward their sins which only a little while before had been regarded as vain and slanderous statements. If the papers that have come down to us from our diplomatic agents to the pontiff were gone through, such citations might be repeated

more frequently than they are. From some of these, it even appears that there were individuals who, in straitened circumstances, served anyone, and whose minds were enlightened to follow the good cause, that of the faith and the king, by a few gifts of trifling value.⁵⁶

Irritated by the affronts we have described, and determined on energetic action, which, as history has shown, was the only remedy efficient in restraining the excesses of the Roman curia, Dom João III had given Farnese to understand that the impulses of his anger were not to be despised in this matter of the pensions also. The efforts of the young cardinal to obtain that reservation, which depended upon the royal approval, had ceased, or had been fruitless during the interruption of friendly relations between the two courts. But when the principal causes of the recent disagreements had been removed, Pier Domenico was asked to solicit a decision of the affair. The king readily consented, but not without suggesting forcibly to the envoy to remind Rome how necessary it was that those who asked to be treated with equity and benevolence in one affair should not forget this doctrine in its relations to other matters.⁵⁷

But in the instructions given Pier Domenico as to what he was to say when speaking to the pope in the name of the king upon his return to the

⁵⁶ A statement that seems to be in the handwriting of Pier Domenico (Collection of Sr. Moreira, Book 6, in *principio*) and that shows the methods of obtaining protectors in Rome, speaks of Cardinal Crescentiis as one of the most incorruptible. But it is added: "He will be satisfied with very little pension, when an opportunity arises, or with a few good stones, or silverware, or a bed with a few covers. And for two horses that B. de Faria gave him when he went to Bologna with the pope last year, in time he did much for the future." Concerning Monsignor Ardinghella, bishop of Fossombrone, the secretary of the pope, he here says: "With a few more perfumed gloves he will be content, this one and the other one whom I shall mention below, and with a stone worth fifty *cruzados*." In this paper the datary is called the *shop of the datary* (*boteghá*, a shop). In some notes furnished by Francisco Botelho after his return from Rome, regarding the method of dealing with matters pending (*ibid.*, Book 7, end), it is said: "It seems to me that Your Highness ought to give something to the pope, and I am sure that he will accept it, and also I am sure that in this way one can transact his business better than he can with sable garments and many horsemen. And also something to Durante and to Bernaldes de la Cruz and to Julio, who are the chamberlains and favorites of the pope. Likewise Cardinal Puche, who is poor and a good man, and one with whom the pope will be pleased. He is much at the service of Your Highness. And also to Cardinal Tiotino and to others, according to the nature of the business, and when the time for it comes; and if it were possible, I should certainly prefer, for the sake of the service of Your Highness, that there should be pensions deposited there for this, than that they should be given to anyone there in Rome." Citations of this kind might be enormously increased.

⁵⁷ "*Informazione che il re . . .*"—Information which the king of Portugal sent to His Holiness by Pier Domenico, in the *Symmicta Lusitana*, Vol. 2, folio 202.

curia, two questions stood forth prominently. One was the punishment of Cardinal da Silva, the other was the substitution of a simple agent for an ambassador-extraordinary, which the pontifical court showed itself desirous of seeing again established there. What Dom João III demanded in regard to the former bishop of Vizeu was that he should be expelled from the capital of the Catholic world, the pope not allowing him to appear in his presence again, and without giving him any charge away from Rome for the purpose of securing his removal. In case His Holiness did not agree to this, let him consider the evidences of the deeds of disloyalty that he had committed, both in order to obtain the cardinal's hat and also in his intrigues with the Jews, fortunately discovered by the apprehension of the letters in cipher, and let him order steps taken to hold a judicial inquiry in Portugal, especially in Vizeu, in order that the bishop might be tried; for the king was sure the result would be a punishment still more severe. But regarding the establishment of the embassy at Rome, Pier Domenico was to remind the pontiff that inasmuch as such a step was a manifestation of the perfect accord that ought to exist between the two courts, it was unpleasant to the king to send an ambassador-extraordinary while the more or less disagreeable discussions of matters pending might last, it being his firm intention to do so just as soon as the pontiff should give him regarding those that remained the satisfaction that had been given concerning the mission of the coadjutor of Bergamo.⁵⁸

If Dom João III was inflexible upon one of these two points and reserved upon the other, he sought at the same time to conceal his suspicions by a display of magnanimity. The instructions that Pier Domenico had brought the nuncio were to the effect that, as soon as he had entered Portugal and had reported to the monarch upon the special object of his mission, he should return to Rome, if he dismissed him. But not only did the king permit him to remain, but even to use the power he brought with him, except in matters specified in a note that was to be presented to the pope. These restrictions were satisfactory to the nuncio himself, whose conduct, though his residence in Portugal was as yet so short, the king found worthy of praise, explaining the unpleasant experiences that would have been avoided if previous nuncios had behaved in the same way.⁵⁹

Thus calmed down a disagreement that had seriously darkened the political horizons between the courts of Lisbon and Rome, but this serenity was the infallible harbinger of a more furious outbreak against the New-

⁵⁸ *Loc cit.*

⁵⁹ *Ibid.* Instructions, or Memorial, without date, in the Collection of S. Vicente, Vol. III, folio 141.

Christians. The matters in which the nuncio was forbidden to interfere could have been only those relating to the Inquisition, or at least the acts of the inquisitors were the principal objects that Dom João III was to exert himself to keep free from the inspection and authority of the pontifical delegate. But the chief and almost the only hope of the New-Christians lay in the coming of the nuncio, in the powers attributed to him in connection with the trials for heresy, and in his sympathy for the persecuted, which had been paid for at great sacrifices. Reduced to inaction, to nullity even, warned by the pope that he was to leave Portugal at the slightest nod of the king, and therefore compelled to bow to all of his caprices, Lippomano could in no way meet the promises with which he had come, if promises there were. During his legation he did not lack for eulogies upon his moderation and honesty on the part of Dom João III, and the reader knows what meaning to attach to such eulogies. Evidently the money spent by the agents of the Portuguese Jews was money thrown away.

Meanwhile a circumstance arose to aggravate still further the almost insuperable difficulties with which they were struggling. Yielding to the views of Cardinals Caraffa and Burgos, both of them Dominicans, Paul III had decided to create at Rome a supreme tribunal of the Inquisition. The idea was supported by the chief of a new religious congregation, which in its cradle was already showing signs of the immense influence that it was to exercise in the world. The energetic representations of Ignatius Loyola had decided the pope in favor of the new tribunal, and this was one of the facts upon which the Jesuits afterward most prided themselves. The bull of its creation was dispatched on June 21, 1542, and Caraffa was appointed with the cardinal of Burgos and four others to exercise the supreme functions of inquisitors-general. The most active of them all was Caraffa who soon raised in Rome, at his own expense, a building expressly for the lugubrious institution and placed at its head as commissioner-general, a theologian, Teofilo de Tropea, a man capable of carrying out his ideas of intolerance.⁶⁰ Protestant opinions had filtered into Italy, as they had throughout almost all Europe, and it was especially against heresies of this kind that the Italian Inquisitions were directed; but Judaism also fell within their jurisdiction, though the condition of those who followed the law of Moses was incomparably more favorable in Italy than in Portugal. There persons who were born and brought up in the Jewish religion, and who had made public profession of it all their lives, were tolerated. But it did not follow that those who had received

⁶⁰ Ranke, *Die Roemischen Paepste*, II, 208 *et seq.*

baptism were at liberty to practice Judaism secretly, while maintaining the outward appearances of Christianity.

From the beginning of the struggle between Dom João III and part of his subjects, the attorneys of the latter at Rome did not oppose the Inquisition for the same reasons that today render it odious in the eyes of philosophy; they did not contest the legitimacy of the principles on which the institution rested; evangelical tolerance was hardly understood at that time, and any appeal to it would have been temerity. What all the allegations of the Portuguese New-Christians tended to prove was that the inquisitors proceeded unjustly, attributing to them a crime they did not commit. In many cases the charge was true; in others it was not. Not only does reason go to show it, but the trials of which we have records themselves prove to this day that many of the victims of the Inquisition had really practiced Judaism. What was horrible and absurd was the atrocities and punishments to which thousands of people were condemned on account of acts for which they should have been responsible only to God. But the compassion naturally inspired by the fate of the New-Christians is somewhat diminished when we consider the combination of abjectness and obstinacy characteristic of their race. The number of those who, in prison and under torture, and in the face of ignominious death, dared to confess, without evasion, their unshakable belief in the God of Moses was small. There did not prevail among them the profound and invincible ardor that supported the spirit of the primitive Christian martyrs, and which in later epochs appears in the history of the Protestants, in the somber fanaticism of the Puritans, or of the Calvinists, and which we have seen flare up at times in our own days in the enthusiasm for liberty. Persecuted and persecutors, and those who, abusing the spiritual power, trafficked now with one party and now with the other, feigning at one time hesitation and at another impartiality, were all base and vile alike. When, therefore, we find in the midst of so much moral decadence a character at once faithful, energetic, and sincere, it is difficult to keep from admiring him, even though he be a fanatic. There are epochs so corrupt that perhaps only excessive fanaticism can act as a shield to the nobility and the dignity of highly tempered souls in the midst of triumphant immorality.

It is impossible that in Rome they did not know just how much truth there was in the charges of the New-Christians, and just how far their statements regarding the sincerity of their own Christianity could be believed. If there were doubts remaining on this subject, the hideous story of Duarte da Paz was enough to remove them. According to general report, the zeal of Diogo Antonio, who took his place, had not been of the

first quality. The money intended for the officials of the curia, for the payment of which he had been duly authorized by his clients, had been largely turned to his own use, with the result that shameful contentions had arisen, and even canonical censures had been sent to obtain from those interested the emoluments due.⁶¹ Probably Diogo Antonio belonged to the same school as Duarte da Paz. Diogo Fernandes Neto, who succeeded him, seems to have acted more honestly; but the past experience of the Portuguese Jews, their lack of confidence, and a parsimony ill-suited to the circumstances, in addition to the general discouragement, left the new attorney, as we have already seen, in constant embarrassment, while the lack of funds grew in proportion as the difficulties increased. A bit of imprudence on the part of Diogo Fernandes, or a trap skilfully set for him, completed his disqualification for a mission that was growing more difficult every day.

Diogo Fernandes Neto was accused before the pope of being an apostate and a Jew. He was tried and found guilty. He was arrested. The proofs of Judaism given by this man, whose position laid upon him the duty of circumspection, must have been exceedingly serious in order to have caused his arrest and trial in a country where the followers of the law of Moses were allowed to make public profession of their faith. It was even said that the foundation of the supreme tribunal of faith in Rome had as part of its motive the case of Diogo Fernandes: at least Dom João III was so persuaded, for he referred to it two years later when writing to the pope.⁶² Without having any high conception of the Christianity of Fernandes Neto, a suspicion naturally arises whether the crime of the attorney of the New-Christians were not an invention skilfully used for the purpose of thwarting his efforts and for casting discredit upon a cause almost lost. The cardinal of Burgos was one of the members of the sacred college with whom the court of Portugal was on the best terms,⁶³ and the cardinal of Burgos was one of the most

⁶¹ "Diogo Antonio, because from what was to be used to supply the expenses of some officials of Your Holiness used the larger part of it for his own expenditures and his own uses, was recalled by them and tried by order of Your Holiness with censures against those who here did not wish to respond to the payment of what he, as their attorney, had spent."—Rough draft of the letter of Dom João III to the pope carried by Simão da Veiga in 1545, and which we shall use later (Collection of Sr. Moreira, Book I, at the end). An original brief on this subject dated October 27, 1540, is in Package 25 of Bulls, No. 14, in the National Archives.

⁶² "Who (Diogo Fernandes) being found guilty of manifest Judaism before Your Holiness, was in part the cause of Your Holiness instituting the holy Inquisition in your city of Rome" (draft cited).

⁶³ Among the documents that reveal the fact, the letter of the king to Balthasar de Faria of January 20, 1543, is decisive.—Original Correspondence of B. de Faria, folio 5, in the Ajuda Library.

ardent supporters of the establishment of the Inquisition in Rome. Who can say today whether, other than the impulses of fanaticism, any secret motive had helped to incline him to associate himself with the purposes of Cardinal Caraffa? We see that Balthasar de Faria later on took an active part in the trial of Diogo Fernandes, and when the latter, through huge bribes, got permission to leave prison under pretext of a serious affection of the eyes, the agent of the Portuguese government spared no efforts to have him sent back to the dungeon in which he had lain.⁶⁴ Would it be strange if this persecution had come from further away, and if the men who allowed themselves to be bribed to give temporary liberty to the attorney of the New-Christians were again corrupted in order to take it away from him a second time?

This success had other consequences. It was not the plan by such means to obtain the mere advantage of crushing Diogo Fernandes. Balthasar de Faria went further. In his opinion the special briefs of protection against the hatred of the inquisitors, dispatched in favor of persons living in Portugal, ought to be repealed, because they had been granted at the instance of an individual whose Christianity had turned out to be more than doubtful, which thus practically nullified them. The agent of Portugal insisted upon this point with great vigor, supporting his views with those of various members of the sacred college who were of the same opinion.⁶⁵

Everything conspired for the overthrow of the New-Christians, for since the imprisonment of Fernandes Neto, there was only one man to fight for their interests who was of enough importance to get results from his efforts, and that was Cardinal da Silva; but the cardinal had enough to do to defend himself. The vengeance of the pious king was persistent and implacable. Seeking in every possible way to calm the wrath of Dom João III, the pope sent through Pier Domenico an offer of the cardinal's hat to the infante, Dom Henrique. But in spite of his fanaticism, in spite of his love of ecclesiastical splendors and pomp, even in spite of his desire to gratify the vanity of his brother, Dom João III

⁶⁴ "I have had much pleasure from the imprisonment of the attorney of the New-Christians and from the way this business turned out. And it seems that in all that happened in it both here and there Our Lord wanted to show what should be known for the good of his service. And he was pleased with what in this you did and demanded."—Letter to B. de Faria of January 20, 1543, *loc. cit.* "That Diogo Fernandes would have been free, if B. de Faria had not been free. And entrust to him large matters. But I wanted him a prisoner rather than at large."—Recollections of Francisco Botelho regarding the business of Rome in the collections of Sr. Moreira, Book 7, in middle; Letter of B. de Faria to the king, of October 15, 1543, in Drawer 2, M. 5, No. 43, in the National Archives.

⁶⁵ Letter of B. de Faria, of January 20, 1543, *loc. cit.*

rejected the offer, and charged the emissary to tell the pontiff the reason for the rejection. Some time before he had, said he, asked that favor of the apostolic see, and the reply had been first a long silence, and later the election of Dom Miguel da Silva. In order to come to any agreement upon such a matter the preliminary and indispensable condition was the punishment of the Portuguese prelate as he had demanded.⁶⁶

The situation of the bishop of Vizeu was becoming more and more critical. Cardinal Farnese, as his grandfather's minister and one of the persons of chief importance in the pontifical court, befriended him; but Farnese was interested in the question of the three thousand *escudos* pension in Portugal, which might be considered as settled after three years of delays and difficulties. It was therefore necessary to be cautious. On the other hand, the economic situation of Dom Miguel da Silva was far from prosperous. Of the income from the diocese he had not received a farthing since he had been banished, and, either because the pope was not very liberal with him, or because his powerful relatives in Portugal were afraid of displeasing the king if they helped him, it is certain that he found himself in great straits in order to keep up the appearances of his official position, so much so that he was fast being dragged into the depths of penury. As for the money of the New-Christians, it had to be divided among many in a fixed proportion, not with regard to past services, but with reference to the greater or less probabilities of services to be rendered in the future. So far, therefore, as pecuniary resources were concerned, the horizon was looking very dark to Cardinal da Silva.⁶⁷

Though it might be hard for Paul III to abandon a man whom he had imprudently raised so high, circumstances obliged him to be circumspect. In a solemn consistory, in which efforts were made to restrain the excesses of the temporal power practiced in France and Spain to the grave offense of ecclesiastical liberties, and in which energetic resolutions were adopted, the pope also touched upon the subject of the revenues of the diocese of Vizeu, of which the king of Portugal, by direct and indirect means, was absolutely depriving the prelate in question; but the complaint was rather indifferently stated, and was not submitted to a final vote. Only the man interested sustained it, and even he avoided accusations against the sovereign, throwing all the blame for the annoyance he had suffered upon his implacable enemies in Portugal. Cardinal Alexandre Farnese, the protector of Dom Miguel, and his cousin, Cardinal Santafiore, maintained a prudent silence. Several voices among the

⁶⁶ Information that the king of Portugal had to His Holiness through P. Domenico, in the *Symmicta Lusitana*, Vol. II, folio 207 v.

⁶⁷ Letter of B. de Faria to the king, October 15, 1542, *loc. cit.*

less influential were raised in behalf of the persecuted prelate, but considering that it would be best to ask explanations of Balthasar de Faria before taking action, the consistory abstained from voting on the subject.⁶⁸

Meanwhile Balthasar de Faria, who had not ceased from requesting of the pope some action in accordance with the instructions that Pier Domenico had taken, being informed by Santiquatro of what had been done in the secret consistory, redoubled his efforts. As the famous letters in cipher furnished the most powerful arms against Dom Miguel, and as he defended himself by declaring them forgeries, the pope asked that the originals should be brought forward so that he might be proceeded against. The demand seemed to be reasonable; but the Portuguese agent replied that as they were in cipher and without signatures, the originals would not be of any use, or rather they did not exist. But it might well be asked: if these documents would not convince the pontiff, how was it that they had convinced the monarch? And who could tell whether it was the king or the bishop who was telling the truth? Faria bethought himself of an expedient. Diogo Fernandes had again been thrown into the prison of the Inquisition; the letter which contained the one in cipher was his; upon being questioned about it he could tell whether the cipher was or was not the cardinal-bishop's.⁶⁹ We do not know whether the plan was adopted; what we do know is that the cardinal of Burgos had in the vaults of the tribunal of faith means sufficiently energetic to get from any prisoner any truth that the services of the king of Portugal might stand in need of.

But what might, above all, be fatal both to the New-Christians and to Cardinal da Silva was the result of the negotiations that had been undertaken at Rome during the years 1542 and 1543. One of these had been brought up by the cardinal of Burgos, the other by Farnese. The first related to the question of confiscations, the second to the application of the revenues of the diocese of Vizeu. Seven of the ten years had passed during which, according to the bull of May 23, 1536, the property of persons condemned to be burned for Judaism, instead of falling into the clutches of the exchequer, was to go to the legal heirs of the victims. This temporary relief granted to the families of the persecuted race, which the New-Christians accused the inquisitors of evading more or less indirectly, and which Dom João III was constantly referring to as evidence of the religious purity of his intentions, although it had been enacted by the pontiff, ended in 1546. What would be done after that? By agreement with the pope, the cardinal of Burgos proposed to have the organization of the tribunal of faith definitely ordained in accordance

⁶⁸ *Loc. cit.*

⁶⁹ *Ibid.*

with the method followed in Spain, provided that, during a certain number of years, half of the confiscated property of the New-Christians should accrue to the benefit of the Roman curia.⁷⁰ As for the revenues of the bishopric of Vizeu, the pope promised some demonstration against Dom Miguel da Silva, if the nuncio were permitted to take charge of them. Balthasar de Faria was not indisposed to agree to this if the bishop were punished as the king required; but such a cruel procedure was repugnant to the pontiff, who proposed as an alternative that he should request those rents definitely for the pontifical treasury, satisfying the desires of the monarch in some fashion. While he could not promise to get the king to accept this arrangement, the Portuguese agent promised to recommend it, provided that proper satisfaction were given his monarch, and that the money accrued should be used for the building of St. Peter's and not to help the banished prelate. Writing to the king on this subject, Balthasar de Faria hinted at the advisability of satisfying the pope's greed under the proposed restrictions, because the king could not appropriate those revenues. "In this way," he added, "Your Highness will gain three points: you will be revenged of Dom Miguel by reducing him to perpetual poverty, you will show your disinterestedness, and through the demerits of this man you will be the means for the service of God, while at the same time you will conciliate the pope."⁷¹

These considerations do not reveal extraordinary evangelical sentiments on the part of the attorney of the Inquisition, and they show that he did not rate those of the king any more highly, seeing that he flattered him with the hope of a mean and lifelong revenge, concealed, as he thought, beneath the sanctimonious mantle of pious generosity. Balthasar set a proper value on Dom João III. In his letters to Rome, in his representations to the pontiff, this prince never failed to lay stress upon the immense sacrifice he had made to religion by instituting the tribunal of faith. Daily he was losing active, industrious, and wealthy subjects; he was impoverishing the present and sacrificing the future. In this respect his reflections were well within the truth. But, to give him due credit, his purposes were exclusively religious. Greed influenced him in nothing he did, and the proof of it was the readiness with which he agreed not to avail himself of the property of persons condemned to death for the crime of heresy, property which ordinarily would go to the exchequer. If he sought to retain wealthy New-Christians in the kingdom by force, and to prevent them from placing their possessions in security, it was not because he longed for the day when he could

⁷⁰ Letter of Dom João III to B. de Faria of January 20, 1543, in the Correspondence of B. de Faria, folio 6, in the Ajuda Library.

⁷¹ Letter of B. de Faria of October 15, 1543, *loc. cit.*

confiscate them; it was solely to bring them back to the true path by these indirect means of compulsion.⁷² But when Rome offered to satisfy his wishes completely, to enable him to save all the souls, and to remove all obstructions from the holy fury of the Inquisition, in exchange for his permission that it should for some years devour half the bloodstained spoils of its victims, the monarch hesitated. Replying to his agent upon this subject, he recommended to him to lie to the cardinal of Burgos by telling him that he had written to the infante, Dom Henrique, regarding this proposal in order to communicate it to him, and that the infante had replied that the king, not wishing to receive any material benefit from the acts of the Inquisition, and having in view only the service of God, was ready to come to an agreement. However, he strongly recommended to Balthasar de Faria that in treating of this matter, he should reduce the quota as much as possible—to a fourth part or even to less—and that as to the term, it must never exceed six years.⁷³

When hypocrisy and cupidity, instead of struggling secretly within the heart of man, thus come forth mutually to contradict themselves in words that come from the lips or that the hand writes on paper, indignation simply dies; for one can feel only nausea when such human depravity mingles with puerile imbecility. There are wounds that inspire horror; others only fill us with disgust.

So everything combined for the ultimate undoing of the New-Christians. The great majority of the college of cardinals inclined toward the side of Dom João III; Santiquatro and Faria never slept, and Diogo Fernandes lay again in the dungeons of the Inquisition. The pope drew away from Dom Miguel, and pretended that he was beginning to be convinced that he deserved severe punishment. He was awaiting the results of his last proposals. On the other hand, the proud prelate found himself reduced to the necessity of selling his most necessary household furniture, and he was living almost entirely on the charity of the Portuguese Jews. His numerous creditors were already besieging the pontiff, asking justice against him.⁷⁴ The poor cardinal, in these difficult circumstances, was but an indifferent ally; for the lack of money was certainly not the best title to consideration in Rome.

Under such circumstances who would not have lost hope? But the New-Christians did not lose it altogether. True to the traits that have characterized it at all times, that tenacious race attempted to renew the

⁷² See all the letters of Dom João III to the pope on this subject, and the instructions to his ministers in Rome, especially the letter sent by Simão da Veiga in 1545.

⁷³ Letter of Dom João III to B. de Faria, of January 20, 1543, *loc. cit.*

⁷⁴ Letter of B. de Faria of October 15, 1543, *loc. cit.*

struggle once more, and to save itself by one supreme effort, which, being incomplete, fared like all the others. Numerous, wealthy, skilful, and distinguished as they were, they still lacked the nobler gifts of valor, indifference to fortune, contempt for life in the face of tyranny, the indomitable sentiment of human dignity, and the powerful consciousness of the justice of their cause, traits that, more than once, have furnished the oppressed the means of driving back their oppressors. Had they had more spirit, the Portuguese Jews would probably have suffered less, and they would have met the terrors with which their enemies sought to inspire them by attacks that would have brought grave apprehension to disturb the peace of their assassins. In spite of the popular prejudices, they would, even when crushed, have at least won by their sufferings the consideration and sympathy that is never denied to misfortune nobly endured, a sympathy which, sooner or later, raises avengers from the ashes of the martyrs. Persecution, which renders noble spirits indomitable, which purifies and lifts them above the common crowd in periods of profound decadence, did not uplift them. Often they met lie with lie, hypocrisy with hypocrisy, corruption with corruption; but in these ignoble acts they had no advantage over their adversaries. Besides, Rome knew what to count on. The large sums of money they could and did spend were after all only a transitory matter; the pensions which the king of Portugal could and did grant were permanent and secure. Temporary favors, passing manifestations of protection and benevolence, were the proper response to the transitory; for that which was permanent, definite concessions were to be expected. The Roman curia sought to do everything in order: the greatest profits were in keeping with the value, and in the traffic of holy affairs there was the loftiest commercial probity.

CHAPTER VIII

EXCESSES OF THE INQUISITION; THE POPE DECIDES TO INTERVENE; 1543 TO 1544

Having decided to attempt a supreme effort, the New-Christians prepared for the struggle. Diogo Fernandes certainly could not help them while shut up in prison; but they had agents in Rome who had been sent from different parts of the kingdom where they were most numerous and wealthy, such as Porto, Coimbra, Lamego, and Trancoso. These agents began to scatter money so profusely that Balthasar de Faria at once feared the complete undoing of a business that was looking so well.¹ Among these attorneys, the one from Lamego, Jacome da Fonseca by name, seems to have been charged with the chief rôle and with maintaining in the curia the general relations with the leading men of the nation.² The thirst for gold in that Babylon of prostitution was such that when extreme danger obliged the Portuguese Jews to put aside their habitual parsimony and to be lavishly generous, the first impulse proved practically irresistible, and in their straits they had realized that parsimony was certainly not the best means of salvation.³

But the extreme immorality then triumphant tried hard to keep up religious appearances. Thence arose the necessity of a refined hypocrisy. The documents of the times that have been preserved, but which were never meant to be published, enable us today to uncover in all of its hideousness the gangrene that spread through men's minds; but the language of public and official acts was quite another, and was probably never so sedate, so pious, so attuned to justice; never did formulas express so nicely the sentiments of dignity and modesty, religious unction,

¹ "I am afraid they are trying to undo me, for they are winning the world with bribes."—Letter of B. de Faria of October 15, 1543, *loc. cit.*

² Letter of the king to B. de Faria, February 4, 1544, in the Correspondence of B. de Faria, folio 49, in the Ajuda Library.

³ "It is impossible to resist the subornation of these people, for even the strictest diligence is not enough; the hand of God is necessary. There are a great many officials, and in this country it is a great marvel for them to be good men; and most of them, *from the linnet to the crane*, are ready to take what they can get without being bashful: now Your Highness sees the impression that will be made on them by the hard-pressed New-Christians, whose natural business is bribery."—Letter of B. de Faria to the king, February 18, 1544, in Drawer 2, M. 5, No. 19, in the National Archives.

and the desire to walk in the paths of God. Modern civilization may not have made men better; but hypocrisy, the vilest of human arts, that received the Redeemer's malediction, has lost nearly all its value, and today, for the most part even with the common people, the affectations of the hypocrite, his modest words, and his pious ecstasies, move us to laughter rather than to indignation.

To buy the goodwill of the pontifical court was not enough for the people of the *nation*; it was necessary to render it really possible, and to this end it was indispensable to provide new motives or pretexts for a sixth or seventh change of policy in the curia, so that the same appearance of evangelical zeal and thirst for justice that was now serving the cause of the Inquisition might plausibly be employed to serve against it. And in reality the procedure of the advocates of the New-Christians seems to have been guided by these considerations.

We have already seen how, in the midst of the profound dejection of the Portuguese Hebrews, the most wealthy of them, under pressure of cowardly selfishness and of temporary economy, refused Diogo Fernandes funds for the common defense, while they were offering large sums in order to obtain individual immunity that would protect them in the midst of the general ruin. The advice that Diogo Fernandes gave them in this connection was certainly disinterested and sincere. By uniting they would be stronger, and the sums distributed among the pontifical functionaries to obtain briefs of protection in favor of this or that family, briefs, too, which the inquisitors might disregard without serious embarrassment, would be much more effective if used together to obtain provisions of a general character, which would serve, not for a single case, but for all. As for the interests of Rome, these individual concessions were more advantageous, perhaps because they paid better, and because their violation, being, as it were, an obscure proceeding, did not weaken the moral force of the apostolic see so much, while disobedience to an act of supreme authority, or a provision of great importance and of universal and permanent application, obliged the pope to maintain that provision out of personal interest and in defense of a supremacy always jealously guarded by the Roman curia in all grave questions.

Yet it must be confessed that private requests did not fail to have their influence in the results of the common endeavor. These continual complaints kept alive in Rome the remembrance of the persecutions that were being practiced in Portugal, and however corrupt consciences there may have been, humane sentiments were certainly not altogether dead. In the curia there must have been more than one person who was not only upright and virtuous, but also sufficiently enlightened to disapprove the acts of intolerant cruelty of which in general the peninsula was the

theater, and the indignation of these men, daily stirred by the story of new deeds more or less atrocious, powerfully aided the efforts of those who favored the oppressed, not out of sentiments of piety or of justice alone, but for the ignoble reasons which historical documents reveal to us today.

Such were the circumstances that seem to have led the agents of the New-Christians to multiply their solicitations in behalf of persons buried in the dungeons of the Inquisition, while they collected detailed information regarding the attacks and mistreatment of which the people of the *nation* were the victims, and all the evidence and documents relating to these facts, which indeed would have been largely incredible without proofs. Day after day there came before the Roman curia petitions requesting briefs in behalf of defendants who were prisoners by order of the tribunal of faith, in which were pointed out acts of flagrant injustice and intolerable abuses, even against the very provisions themselves of the bull of May 23, 1536, which had established the Inquisition in Portugal. In these petitions the acts of the inquisitors were represented in the blackest colors, and doubtless greatly exaggerated. The efforts of Balthasar de Faria were not limited, however, to counteracting the moral effects of these violent accusations. The active attorney of the Inquisition sought to prevent the dispatch of desired briefs in every way in his power, and he even had at times to contest the matter with Cardinal Parisio, who had formerly undertaken the defense of the New-Christians, and who, in his higher position, had not abandoned his former clients.⁴

To these methods of exciting pity and of leading people to think favorably of a cause almost lost were added others of a noisier kind. Groups of Portuguese New-Christians who were in Rome appeared in the tribunals, in public places, and even in the palaces of the pope, and, weeping, begged protection for their parents, their brothers, their relatives and friends who were being judicially assassinated in Portugal. One day when Faria was obtaining of the pope the suspension of a brief that was about to be issued in favor of a certain Margarida de Oliveira, the latter's son came and threw himself at the feet of Paul III, begging for justice against the Inquisition and the agent of the king, who was doing his utmost to have that unfortunate woman burned at the stake. The vehemence of the supplicant, who, under such circumstances, could hardly have been acting a part, naturally went beyond the bounds of moderation. His language was such that the pope ordered the guards to drag him from the room. In reporting this incident to the king, Faria was of the opinion that the impertinent petitioner ought to have been put in the hold of a ship and sent to Portugal and thence to a fortress in Africa.⁵

⁴ *Op. cit.*

⁵ *Ibid.*

But one of the chief supports of the New-Christians at this juncture, as we have already said, was Cardinal Parisio, whose opinion carried weight because of the fact that he was a distinguished jurisconsult both in civil and canonical law, which he had taught at Padua and at Bologna. His legal advice was celebrated throughout Italy, and had won for him a large fortune.⁶ He was an adversary to be conciliated rather than fought. In this matter, Faria made use of the influence of the cardinal of Burgos and of other persons of importance. It was all in vain; for Parisio did not argue, he simply went on with his undertaking. In a full consistory he proposed that a general pardon be granted New-Christians, and if it had not been for the tenacious opposition of Cardinal Del Monte he would probably have carried his point.⁷ If it be supposed that Parisio was paid by the people of the *nation* for these efforts, it may be said that, as a cardinal, his hands were no cleaner than those of the other members of the sacred college, but it must be confessed that he never forgot the relative probity of the advocate, who, while not over-scrupulous about the method of profiting by the causes he defends, nevertheless serves loyally those who pay for his services.

While these things were going on, events happened that justified in the eyes of Rome itself the outcries raised in its midst. It may be that the procedure of the inquisitors was or was not justified in view of the bull of May 23; possibly there were larger or smaller irregularities or wrongs in the trials; the acts of Judaism that served as a pretext for the recrudescence of persecution may have been true or trumped up; but all Italy knew that the persecution was terrible and implacable, for it saw the effects of it. The emigration of the Portuguese New-Christians had reached extraordinary dimensions. In May, 1544, Balthasar de Faria notified the king that a ship had reached Ragusa loaded with fugitives.⁸ Syria and Turkey in Europe daily received Portuguese families, which, under cover of the semi-tolerance of Islamism, sought that small amount of religious liberty which they did not find at home.⁹ Ten years later in the city of Ancona alone there were nearly three thousand Portuguese Jews, or persons whose parents were from Portugal, for some of them were children born in Italy, whose parents had abandoned the country during this period of ferocious persecution or shortly before.

⁶ Ciacconius, Vol. III (Paul III-XXXIII), 667.

⁷ Letter of B. de Faria to the king, of February 18 (that is 19), 1544, Drawer 2, M. 5, No. 32, in the National Archives.

⁸ Letter of B. de Faria to the king, of May 8, 1544, Drawer 2, M. 5, No. 24.

⁹ See that part of the letter of a certain Friar Antonio to the king, written a few years later, which refers to this fact (Drawer 2, M. 9, No. 44).

In Ferrara and Venice were also large numbers of them.¹⁰ Many must have gathered at other places where, as we have seen in the course of this narrative, their persecuted brethren had already sought refuge. England and France, but more especially the Low Countries, built up their industries and their commerce with the elements of wealth which the incompetent head of a small and impoverished monarchy drove away with mad persistency.

The money and the clamors of the New-Christians, the ever increasing expatriation, of which all Europe was a witness, and the documents received from Portugal in proof of the tyranny that weighed upon them would probably not have been enough to have rendered the court of Rome favorable to them once more if the question of the bishop of Vizeu, this ally whom the efforts of the agents of Dom João III seemed to have crushed, had not arisen anew to influence the mind of the pontiff. As we have seen at the end of the preceding chapter, Balthasar de Faria had yielded to a certain extent to a compromise in which the vengeance of the king was reconciled with the greed of the curia; but the pope felt that it was more polite to write to the nuncio to settle the matter directly with the king, limiting himself to proposing that the administration, both temporal and spiritual, of the diocese of Vizeu should be entrusted to the nuncio, who was to receive the revenues of the diocese and all the benefices enjoyed by the cardinal-bishop. But as Lippomano did not disclose the use to be made of those revenues the king stated plainly that he had no objections to his ruling the diocese spiritually, but that so far as the revenues of the diocese were concerned, the crown would continue to collect them, keeping them in sequestration as it had done hitherto, without subtracting anything from them until their final destination was decided. It was, however, on just this point that the question was important to the nuncio, who, in view of this fixed determination of the king, declined to take charge of the spiritual administration.¹¹ It is easy to conceive of the effect that such a decision would produce in the court of Rome, after the flattering hopes that Balthasar de Faria had allowed the pope to conceive. The ill-temper of that reply is explained by the king's blind hatred of Dom Miguel; but it is no less certain that it was rather impolitic at a time when the New-Christians were putting forth their utmost efforts in the struggle with the Inquisition.

¹⁰ Letter of Master Simão (Jesuit) to Dom João III (1544), from Ancona, in Drawer 2, M. 5, No. 31. See also the letter of Gaspar Barreiros published by Cunha (*Historia Ecclesiastica de Braga*, Part 2, chap. 81), a suspicious document, but whose narrative seems quite plausible on this point.

¹¹ Instruction or memorial without date in Vol. III of the Collection of Manuscripts of S. Vicente, folio 139.

A kind of review or memorial drawn up at this period at Rome by the agents of the Portuguese Hebrews has come down to us. From it one sees that this long statement of grievances was addressed to a member of the sacred college who was powerful enough to obtain through his intervention a favorable result. Who could it have been? The majority of the influential cardinals were evidently favorable to the party of Dom João III, and Dom Miguel da Silva had found out to his own cost, in the consistory in which his affair had been discussed, how decisive these tendencies were already. Farnese had thought it prudent to keep quiet on this occasion, and afterward he showed himself to be indifferent, if not adverse, in the private conversations with Balthasar de Faria, which he was obliged to hold in regard to the business of the pension from the rents of Alcobaça, a matter not yet entirely settled. But the grandson of Paul III had not abandoned him entirely, as events prove. Thus it seems credible that the agents of the New-Christians, upon whom Dom Miguel depended, were seeking, through the unfortunate prelate, to move the cardinal-minister, and that it was to him that the long document was addressed. Alexandre Farnese, vice-chancellor of the Roman church, was the principal political character, and the most influential person in the curia. It might be said that there was no other channel through which his grandfather could be brought to settle the most difficult matters, nor had Paul III any other channel through which to transmit to the princes of Europe his decisions or desires.¹² Notable facts in the life of the cardinal vice-chancellor show that he never hesitated to extend to the Jews of all parts of the world the most effective protection whenever they needed it, and these facts were such as to give rise to the bitter complaints of one of the most noble minds of those times—Cardinal Sadolet.¹³ It is easy to imagine the means the proscribed race would use to gain such important protection.

The Memorial of the Hebrews is a documented narrative of the persecution of the Jews in Portugal from the time of the compulsory conversion of 1493 up to 1544. This important narrative, which has more than once supplied us the clue to the labyrinth of innumerable documents, should be read with caution, for it is not and could not have been impartial. And yet it is certain that it is not seldom based upon authentic documents, drawn up by magistrates and public officials who certainly had no desire to favor the persecuted race. At other times the narrative is

¹² "*Quindecim totos annos . . .*"—During all the fifteen years that Pope Paul lived he (Farnese) governed with great wisdom almost the entire church; he either undertook the missions of the Apostolic See himself, or they were assigned to the persons of his choice. It was through Alexandre himself that the business of the provinces passed to and from the pontiff.—Ciacconius, T. III (Paul III-1), 563.

¹³ *Ibid.*

fully confirmed by documents of another kind, which are still in existence, and there are even facts in regard to which the story told in the memorial is understated, possibly because many of the details that made them objectionable were already lost sight of on account of their having occurred so long before. Such is the story of the slaughter of 1506. Where this kind of report errs chiefly is in its exaggeration, not of facts, but in its style, in which there is no sparing of either metaphors or boldness of hyperbole, a fault to be charged to those who prepared and edited the paper rather than to those who furnished the necessary facts.¹⁴

It is inferred from the introduction to the Memorial that the provisions for mitigating the fury of the Inquisition, promised by the curia, and paid for by the New-Christians, never reached Portugal. The pension awarded by them to the bishop of Bergamo was likewise lost. Circumstances already described had indefinitely suspended the dispatch of bulls upon that subject, and had laid down for the nuncio a pathway of moderation, or rather of indifference, from which he did not venture to depart. The Jews being thus completely abandoned to the mercy of the inquisitors, persecution redoubled its violence, and the shrieks of those who perished at the stake in Portugal were the only replies to the useless clamors raised by the agents of the persecuted race in the tribunals of Rome.¹⁵

If we are to believe the Memorial, and in this respect the narrative is eminently credible, the families of persons who sought in the curia

¹⁴ The title of the memorial to which we refer, and which we have often cited, is *Memoriale porrectum a noviter conversis Regni Portugalliae continens narrativam veram gestarum circa eos a Regibus et Inquisitoribus illius Regni spatio 48 annorum*. Memorial presented by the newly converted of the Kingdom of Portugal containing a narrative of the measures taken regarding them by the kings and inquisitors of that kingdom during a period of forty-eight years. Fifty-four appendices follow the memorial, containing in part judicial documents regarding the facts mentioned in the memorial, and special narratives regarding acts of the inquisitors and matters that took place within the Inquisition, of which it was not possible to obtain certified proofs. Some of the appendices are intended for the discussion of various points relating to the extension of the authority of the tribunal of faith, to the conditions of its existence, to the forms of the trials, etc. From number 33 onward the appendices refer chiefly to the period from 1540 to 1544, and for this reason they are the ones here made use of, along with the corresponding narration of the "Memoriale." This and the appendices form volumes 31 and 32 of the *Symmicta Lusitana* (Vols. XXXVIII and XXXIX of the general collection from Rome) in the Ajuda Library. The copy was taken from manuscript 893 of the Borghesi Library.

¹⁵ "*Illorum sanguine . . .*"—"It was with their blood that the frenzy of the king was fed and waxed fat. Alas, a deplorable itme!"—"Memoriale," *Symmicta*, Vol. XXXI, folio 60 v.

the favor of the pope for their afflicted brethren were the objects of systematic persecution by the inquisitors. Those who undertook that risky enterprise not only exposed themselves to implacable vengeance in the future, but they also brought martyrdom on their wives, their children, their parents, and their brothers. It was of no use whatever for them to request and obtain briefs of exemptions, or briefs for the purpose of having the causes of accused persons already arrested summoned before a tribunal of apostolic judges, appointed for that purpose. If such briefs escaped the obstacles put in the way of their expedition at Rome, the inquisitors disregarded them or put false interpretations upon them. For example, in spite of the efforts of Balthasar de Faria, the celebrated archbishop of Funchal, Dom Martinho, and the nuncio, had been appointed apostolic judges to hear the cause of Margarida de Oliveira. The expedient used by her son to move the pontiff had not been in vain; but the disobedience of the inquisitors rendered it useless. The pope then transferred the cause to the curia, directing that the report of the original trial be sent to him closed and sealed; but this decision shared the fate of the first one, and the unfortunate widow, full of years and infirmities, forgotten in the depths of a dungeon, probably ended there her painful existence.¹⁶

¹⁶ "Memoriale," *loc. cit.*, folio 62. The report of the trial of Margarida de Oliveira, which is still in the archives of the Inquisition of Lisbon, Nos. 2847 and 3911, shows that the narrative of the memorial is not only not exaggerated, but it is even incomplete. The existence of the original documents in the archives of the Inquisition enables us to see at once how little attention the inquisitors paid to the second resolution of the pope. Appended to them are the orders of appeal issued by the archbishop of Funchal and the reply of the proctor of the Inquisition, alleging that, inasmuch as the procedure of the inquisitors with regard to the defendant was just and regular, the brief appointing extraordinary judges was obreptitious and surreptitious. The disobedience of the inquisitors, therefore, was based on their acceptance of the matter in question as having been proved. The strangest part of that trial, (which, to use a popular phrase, seems to have had a *rock put on top of it*, for it does not appear to have been concluded) is the material furnished by the witnesses. There were six witnesses for the accusation, three of whom gave only hearsay evidence. The defendant brought more than a hundred persons to testify in her defense. Among the witnesses in her behalf were conspicuous persons, both among the upper and middle classes. When the list was submitted, a few were examined, and then the trial stopped. The defendant objected, and asked that the others be heard. The situation was shocking. She was seventy-four years old and covered with sores. The prosecuting attorney objected to her request, holding that it was for the judges to fix the number of witnesses necessary for their enlightenment, supporting this remarkable doctrine with numerous texts. Such were the justice and indulgence of the Inquisition, even if we admit the legitimacy of its existence. The fact that the name of the nuncio did not appear in the order of appeal shows clearly either the timidity of the Bishop of Bergamo, or the insignificance of the part he played in the court of Dom João III.

Meantime this continual concession of briefs for special cases, highly remunerative for the Roman curia, incommoded not only Faria, but also the members of the Inquisition, who, at times at least, were compelled by these briefs to proceed with a certain amount of circumspection, and to leave to rot in the dungeons more than one defendant who might have served to lengthen the program of an *auto-da-fé*. The active diplomatic steps taken in Rome to reach a definite conclusion in this matter were not moving with the desired rapidity, and it was necessary to turn to methods more prompt. Efforts were made to bribe the attorneys of the New-Christians with gifts to induce them to keep quiet, and with larger promises if they would withdraw from the curia. Disappointed in regard to the efficacy of these means, their opponents resorted to threats,¹⁷ and these threats, as we have seen, were dreadful for those who had families in Portugal, or who wanted to return to their country.

To these more or less secret scandals were added public scandals. As if spoliation and murder by judicial processes were not enough, at times fanatical people showed in manifestations more or less insolent their ill will toward the part of the population that had been condemned to extermination, while the satellites of the Inquisition felt themselves authorized openly to practice every possible kind of annoyance and vexation against the outcasts of society. Irregular imprisonments, beatings, robberies, and gross insults were of daily occurrence. It was the same fever of intolerance that had agitated the capital in 1506, diminished in intensity, but spreading widely throughout the provinces.

Part of the population of Lamego consisted of New-Christians. It was toward the end of 1542, as we have elsewhere stated, that the supreme tribunal of faith established a delegation at that place, but it had been known about the middle of the year that this would soon happen. The hate of the Old-Christians and their hopes for atrocious scenes at once became manifest. There remains to this day a curious record of the popular malevolence against the Hebrew race, which is at the same time a specimen of the lampoons of that period. One morning there appeared posted up on the pillory a kind of program, the work of some popular poet, which set forth how the establishment of a new tribunal ought to be celebrated. The most conspicuous Hebrews of the city were divided into two groups, one of them made up of musicians and the other of dancers, and each individual was assigned the manner and position in which he was to go to the *auto*. This gave the author an opportunity to refer to the physical or moral defects of the different persons, while the terms "dogs," "accursed," and other expressions of the kind, were generously distributed, with the assurance to some that they would be burned that

¹⁷ "Memoriale," *loc. cit.*

year, and to others that they would soon figure in an *auto-da-fé*. The first sentences of the program are enough to give an idea of the spirit of the composition. "We give God infinite thanks for seeing in our days vengeance taken upon this race of heretical and unbelieving dogs. Let us all raise our voices in praise to him for such a favor, and let us put aside carefully as many faggots as we can get together, for perhaps we may not have firewood enough for the sacrifice. And as we are expecting the holy Inquisition here, let us have an 'Invention'¹⁸ so that we may receive it worthily."¹⁹ These manifestations of ill will terrified the people of the *nation*, who saw in them the expression, not of the ideas of one or two individuals, but of the mob in general. There was therefore profound terror throughout the district as soon as it was reported that a certain Gonçalo Vaz had been appointed inquisitor. Some fled at once; but the more prudent, or those who were counting on powerful protection regarded the new inquisitor with suspicion and protested to the king against his appointment.²⁰

But it was a sad expedient that, addressing supplications to the head of the state. The popular feeling at this juncture was legitimized by acts of the supreme power itself, which did not hesitate to brand the foreheads of those very New-Christians against whom the Inquisition abstained from proceeding, an indirect but irresistible proof of the regularity of its procedure. A short time after the insults at Lamego an order was issued at Lisbon to the House of the Twenty-Four²¹ forbidding the election as Master of any New-Christian master workman or mechanic, and the municipal magistrate (Juiz do Povo) was expressly directed that he was not to recognize such a one even if he were elected. The king went further than the Inquisition.²²

The tribunal of Porto had celebrated an *auto-da-fé* early in 1543. These executions, which should have awakened terror and pity, served only to stir up feelings against the converts. Forthwith a disturbance broke out at Barcellos. One morning all the doors of the houses occupied by New-Christians were found to have written on them in white letters the lot awaiting each of the occupants. On some was written the word

¹⁸ [Reference to the feast of the Invention or finding of the Holy Cross.—*Tr.*]

¹⁹ The original of this document does not exist; what is here given is a translation of the Latin translation which is inserted in document No. 33, appended to the "Memoriale," in the *Symmicta Lusitana*, Vol. XXXII, folio 192.

²⁰ Letter of Doctor Gonçalo Vaz to the king, January 15, 1543, in Drawer 2, M. 1, No. 39, in the National Archives.

²¹ [The Casa dos *Vinte-quatro* (House of the Twenty-Four), or the *Vinte e Quatro* (Twenty-Four), was an ancient society of master mechanics in Lisbon having a vote in the municipal administration.—*Tr.*]

²² Document No. 35, appended to the "Memoriale," *loc. cit.*, folio 217.

fire, on others *life imprisonment*, on still others *sambenito*²³, on others again *ashes*, and, finally, *burned*. This insult was attributed to a few clerks in minor orders. The doors of dwellings of the Old-Christians had been scrupulously respected. The persons to whom those fatal sentences were applied were mostly respected merchants, who were punctual in the performance of their civil and religious duties.²⁴

But these popular demonstrations were of little importance when compared with the consequences of the extraordinary powers with which the commissioners and bailiffs of the Inquisition were clothed. The instructions given to magistrates, and to civil and military functionaries, were such that, in spite of themselves, they had often to be the tools of obscure men, and not rarely of bad and dissolute ones. Wherever the order of the inquisitor appeared, everyone bowed his head. In 1543 the evil predictions of the lampoon of Lamego had been realized; the Inquisition had carried terror into the bosoms of the Hebrew families of that district. Some of these families had withdrawn to Tras-os-Montes. But the Inquisition did not forget them. A bailiff had been sent there to make several arrests. The list was a secret one, and the civil magistrates gathered into the jails those whom he verbally indicated to them. Being more zealous than his chiefs, the bailiff enlarged his mission so that the inquisitors of Lamego, after a while, had to have set at liberty some of those who had been arrested on their supposed orders from the castle of Villa Real.²⁵

From this, one may infer the annoyances to which persons were subjected whose names were really included in the lists of the proscribed given to the agents or servants of the tribunal of faith. While these things were going on at Villa Real, the district of Miranda was the seat of scenes still more shameful. They go to prove that the temporary suspension of confiscations, about which so much noise was made, and which was appealed to as a lofty proof of unselfishness, was really an illusion, and that the inquisitors did not need that absurd penalty in order to reduce the families of their victims to penury.

Of all the rude hunters of men that the Inquisition had in the first years of its existence, one of the most indefatigable Nimrods was a certain Francisco Gil. This wretch had begun his criminal career²⁶ by assassinating

²³ [*Sambenito*, the sack-like garment of red and yellow cloth worn on the way to execution by persons condemned by the Inquisition to be burned.—*Tr.*]

²⁴ Document No. 34, appended to the "Memoriale," *loc. cit.*, folio 197.

²⁵ Document No. 36, appended to the "Memoriale," *loc. cit.*, folio 219 v.

²⁶ *Excessus Inquisitorium Ulixbon.* in the appendix to the requisition made to the king by the New-Christians, of which we shall speak further on. *Symmicta Lusitana*, Vol. XXXII, folio 311 v.

the son-in-law of an honored merchant of Lisbon, a murder perpetrated publicly in the middle of Rua Nova. Entrusted with the office of solicitor of the tribunal of faith, Francisco Gil was sent through the provinces to discover the secret sectaries of Judaism. The undertaking may have been odious, but it was neither dangerous nor difficult. The active agent soon hit upon an effective and simple method for gathering a big harvest. On reaching a place where there might be New-Christians, he had it announced that there would be a festival and solemn procession at such and such a church. On the day announced the people flocked to the temple. When the church was full, he ordered the doors closed, and in the name of the Inquisition he told the faithful, under threats of the most terrible excommunication, that if there were any Jews hidden in their midst, the good Christians should point them out.²⁷ The unfortunates thus denounced by the people were removed and taken thence to jail by order of the inquisitors.²⁸

In his rounds the implacable commissioner reached Miranda do Douro, a district which seems to have been one of those yielding him an abundant harvest of extortions and outrages. Eleven persons of both sexes were arrested in that village. Each of them was to pay him fourteen *milreis*, the sum which the solicitor of the Inquisition considered necessary to remove them to the place where, according to the orders of the infante inquisitor-general, they were to be kept. When judicially ordered to make payment, they all refused, except one poor old man who lay seriously ill. Orders were then given to make an inventory of their property and to sell it at auction, while the persons themselves were removed from the castle of Miranda to the one at Algosó, situated in a desert, half a league from the village of the same name. Gaspar Rodrigues, the old man who was sick, had farmed the royal taxes thereabout. The people did not like him, and the New-Christians said this change was made for the purpose of further inciting popular wrath against him and his companions in misfortune. In the castle of Miranda, a solid structure surrounded by five lofty towers, the mere bolts of the prison doors were enough to secure the prisoners; but in the one at Algosó, the ruins of the ancient fortress and its distance from the settlement made it necessary to have guards to prevent attempts at escape either from without or from within. The municipal troops, the only ones there were at the time, were used for this

²⁷ "*Quod quaecumque persona . . .*"—"That whoever knew a New-Christian should point him out.—*Ibid.* folio 312. It is evidently an exaggeration of the phrase. Gil could not demand that they should point out to him New-Christians that he might arrest them, but he could demand to know which were the New-Christians suspected of Judaism. It is probable, however, that in many places fanaticism made the two expressions synonymous."

²⁸ *Ibid.*

service, and events confirmed the anticipations of the people of the *nation*. The sentinels showered insults upon the prisoners, and the country people exhibited toward Gaspar Rodrigues the same hardness of heart that he, as the collector of the taxes, had probably shown them. Their revenge, however, extended to the innocent. Only for cash in hand could the prisoners obtain the necessities of life, light, water, and food. One day the guards made a big fire in front of the prison and threw into it a dog that was burnt to ashes. It was, they said, what was going to be done to the Jews they were guarding before they got out of there. Among the Jews was one Isabel Fernandes, a wealthy woman, from whom Francisco Gil and his sergeant had extorted a hundred *milreis*, on the pretext of its being for traveling expenses. The unfortunate woman, without a bed or a change of linen, wept night and day. The bailiff then offered her not only comforts but even her liberty if she would adopt him. She refused. They redoubled their ill treatment and loaded her with chains. Overcome by want and suffering, the unhappy woman went out of her mind. If prisoners did not give Gil whatever he asked, he changed their fetters to heavier ones, or he put them in a deep, wet place where he left them standing in water. Gaspar Rodrigues, already bruised by his irons and wounded in one leg, and really half-dead, suffered martyrdom twice over. Francisco Gil added a peculiar extortion to the barbarities of his sergeant. When they increased the fetters on the prisoners, he made them pay for them. Persons who went to the castle of Algoso to speak to the victims, if they delayed longer than the time allowed, had a fine of twenty *milreis* imposed upon them, and he either had them put out, or else imprisoned them.²⁹ Possibly these were his instructions, and perhaps the fine was fixed beforehand by the inquisitors, and did not go to him personally. But in either case what happened was that at times in exchange for a bribe of a few *cruzados* those caught in the net got out of prison and escaped the fine. But the spirit of violence and rapine of these two agents of the Inquisition was such that they themselves not infrequently became the indirect instruments of the revenge of their own victims. The rustic militia of the district of Miranda did not enjoy the pleasure of insulting the prisoners of Algoso for nothing. The laborers had not only to watch over the castle, but also to go the rounds and keep watch, now at one place and now at another. The persons indicted for Judaism were not limited to the eleven martyrs transferred to Algoso. The lists of defendants were long ones; the arrests multiplied, and the inhabitants of any village, who did not go and sleep

²⁹ The document we are following says that Francisco Gil fined everyone who came to Algoso, and that he imposed on them all the penalty of exile; evidently these expressions are exaggerated.

near the sergeant and the other bailiffs, when they reached there with some prisoner, were heavily fined.³⁰

The inquisitors appointed for the two dioceses of Vizeu and Lamego were the bishop, Dom Agostinho Ribeiro, transferred from Angra to this last named see, a youthful priest of thirty-two named Manuel de Almada, and Doctor Gonalo Vaz, who lived near Lamego. If we are to believe the memoirs of the New-Christians, which refer to facts generally known regarding that period, or are borne out by the few authentic documents that we have, with great difficulty, been able to obtain, and if we are to accept the testimony therein given by noblemen and by members of the clergy of the highest rank, according to these evidences, we say, the two colleagues of the bishop were two contemptible persons. In spite of his youthfulness and of his profound ignorance, Almada had already been capitulary vicar of the archbishopric of Lisbon, and had there been the scourge of the clergy themselves. His exploits had been talked about even in Rome, and one of the commissioners of the nuncio was to inquire into these matters, which had been prevented only by the election of a new archbishop. Gonalo Vaz was a layman and a bigamist. One of the women, to whom he was said to have been married, was related, more or less remotely, to a large number of the Old-Christians of Lamego who showed the strongest feeling against the people of the *nation*, of which he also was an implacable enemy on account of lawsuits and quarrels he had with persons belonging to it. The New-Christians had immediately petitioned the king and the infante, Dom Henrique, himself against that unsuitable selection; they had appealed to the very same reasons that in the judicial organization had favored the institution of the *juizes de fora* or judges from elsewhere.³¹ But it was all in vain. It was not impartiality that was wanted; it was persecution.

The inquisitors of Lamego could satisfy their evil passions in safety, for they were clothed with an authority which, in relation to the crime they were to take into consideration, not only rendered them independent of all civil functionaries and magistrates, but even turned these into their own tools. The bishop seems to have been the least barbarous, and consequently the least influential of the three commissioners. Vaz and Almada in reality directed everything. Sometimes the prisons were private cells in the residences of the inquisitors, and each one was only eight

³⁰ Document No. 37, appended to the "Memoriale," *loc. cit.*, folios 228 v. et seq. This curious document will be given in abstract, omitting some circumstances that seem to be unnecessary to complete the general picture of the great persecution of 1540 to 1544.

³¹ [A *Juiz de fora* or *juiz de fora da terra* (literally judge from elsewhere) was so called in contradistinction from local judges. He was appointed by the king for criminal and civil cases.—*Tr.*]

palms square.³² Prisoners upon leaving them were often so bloated that they could not get their clothing on. Articles of suspicion,³³ briefs of exemption paid for in Rome at high prices, and protestations of innocence were all of no avail. The relatives of prisoners, who made requests in their behalf, were repelled: the attorneys and advocates who undertook the defense of prisoners at once incurred the hatred of the inquisitors, even when they were Old-Christians and persons of rank. The clerk of the tribunal was prohibited from furnishing defendants with any documents whatever, while no apostolic notary was allowed to receive any statement whatever from the defendants under penalty of fines and excommunication. One person who ventured to intimate to Manual d'Almada a suspicion on the part of one of the prisoners was imprisoned and fined but finally set free through great efforts, but under oath not to get involved again in the business of the Inquisition. Some of the defendants who insisted upon not accepting them as judges were sent to Lisbon. Old men, decent women, and bashful girls marched in bands to the capital, and this long journey became a protracted martyrdom. The guards accompanying them were relatives of Gonçalo Vaz, and each one of them was to receive two *cruzados* a day from the prisoners. Meanwhile the trials went on at Lamego in the absence of those interested, testimony being taken, as was said, of the parties who were paid for it, and who made it a business to depose against persons suspected of Judaism. Two of these witnesses had become notorious in that kind of business. They were husband and wife. Going to the houses of the New-Christians they taxed them as they pleased, and if there was any hesitation about paying, they threatened to depose against them. As if this were not enough, the bishop himself, from the pulpit during religious exercises, laid it upon the faithful as a duty to avenge the passion of Christ by testifying against the New-Christians, among whom, said the prelate, there was not a single good person. At the same time, in warnings posted on the church doors, he fulminated those who said the inquisitors practiced injustice or that there were false witnesses. In his opinion, those who said such things were the accomplices of heretics and ought to be severely punished.

Some persons were arrested before charges were made against them: they could be found guilty of something later. For this purpose slaves and servants were not infrequently made use of; they were taken to the tribunal, and when they did not willingly accuse their masters they were

³² [The palm or span is twenty-two centimeters. These cells therefore sixty-nine and two-tenths inches (English) on a side.—*Tr.*]

³³ ["Suspicion" is here the technical term for a formal expressions of doubt about the probity of a judge.—*Tr.*]

terrified into doing so. At other times the spiteful enemies of the prisoners were called in and encouraged with the hope of thoroughly avenging their own grievances by their depositions. Even auricular confessions were used to post the witnesses in regard to what they should say, while paper and ink were denied those in prison for communicating with those who were interested in their lot, and when there was a question of judicial acts in which the defendants had to write something, they were given paper numbered and marked with red by the notary of the Inquisition and carefully examined before it was sent. Whenever any New-Christians entered the prisons, Inquisitor Almada amused himself by going to point out the spot where the scaffold was to be erected, and indicating with infernal prolixity which of the new defendants were to be burned. In fact, the tyranny and violence were such that the leading people of Lamego and the civil magistrates themselves could not conceal their indignation. But the inquisitors were so far from yielding to these manifestations that they replied with threats, reminding them that they were not exempt from the inquisitorial jurisdiction.³⁴

Were these matters exaggerated? In cases that were supported by the testimony of plaintiffs alone we may well suspect that they were. But in cases where the facts were perpetrated in the full light of day, there is no reason to doubt them; for it would have been absurd for the converts to appeal to public testimony if they were lying. Besides, there are some cases of the existence of which we have undeniable proofs; for example, the following, which took place at Lamego at that time. One of the New-Christians first arrested at that place was Gabriel Furtado, the receiver of revenues for that district. The king's controller came to receive his accounts, and found him under arrest. They had shut him up in an iron cage inside of a tower, and this cage received only a little light from a small opening that was also protected by two iron gratings. To settle accounts there was quite impossible. At the request of the fiscal agent, Gabriel Furtado was taken outside of the prison, with a guard in sight, for the purpose of being heard. The receiver of revenues was behind in his payments, because the taxpayers themselves were in arrears. Naturally the taxpayers had scruples about paying the royal taxes to a Jew, a heretic imprisoned by the inquisitors. There are many pious consciences of that kind. However, the agent found a solution for the difficulty; the property of the prisoner would be enough to pay part of the debt; but there was not quite enough to complete this easy solution. Without written instructions, not allowed to communicate with anyone, unable to get anyone to collect the imposts due, with his property sold at auction, and thus reduced to beggary, how was the unfortunate New-

³⁴ *Excessus Inquisitorum Civitatis Lamacensis, loc. cit., folios 320 et seq.*

Christian to pay the remainder of his own debt? An expedient was found. Through the kindness of the inquisitor, Almada, an inkstand, a pen and six sheets of paper, rubricated by the notary of the Inquisition, found access to the gloomy abode of the heretic, and a list of public debtors jotted down from memory in the midst of mental agony enabled the accountant of the king to save the king's property to the last fraction of a cent.³⁵

If these and analagous scenes took place in the diocese of Lamego, those which occurred in the rest of the kingdom were no less barbarous and oppressive. The jurisdiction of the Inquisition of Coimbra included all of that bishopric and that of Guarda. The commissioners were the Dominican Friar, Bernardo da Cruz, Bishop of San Thomé and rector of the university, and the prior of the collegiate church of Guimarães, Gomes Affonso.³⁶ The bishop of S. Thomé was a man of an irascible and overbearing disposition, and cordially detested by the New-Christians. One can get an idea of his knowledge and of the nobility of his sentiments from a letter of his that was addressed to Dom João III, after his appointment as an inquisitor, in reply to one in which the king consulted him about the method of organizing the Inquisition at Coimbra and of making provisions for it. This letter, wretchedly written, reveals in the bishop the no less wretched character of the abject courtier. If we were to believe him, the capacity of the prince, who was not able to learn the rudiments of the Latin language or of any of the sciences, surpassed all the intellects of the country combined. For the purpose of raising funds for the expenses of the tribunal, he proposed, that, in case they did not want to take them from the incomes of the dioceses of Coimbra and Guarda, they might suppress some of the chairs in the university, especially that of Roman law, and that the salaries of the rest of them should be reduced. One might suppose that instinct rendered odious to him that inexhaustible source of the knowledge of what is right. Among the professors there was only one whom he found fit to be an officer of justice; the rest of them, he said, were either foreigners, or New-Christians, or fools. For solicitor he thought the most proper person was a journeyman shoemaker of Coimbra, and for bailiff he proposed a servant of his own, whom he would otherwise continue to keep in his house. The worthy prelate declared that he made the sacrifice of giving him up for that office only out of the pleasure he found in serving God and His Highness.³⁷

³⁵ Instrument No. 39, *loc. cit.*, folio 247 v.

³⁶ Sousa, "Aphorismi Inquisitor" (*De Origine Inquisitionis*), p. 28.

³⁷ Letter of the Bishop of S. Thomé to the king, without date, Drawer 13, M. 8, No. 6.

The purposes of the Dominican bishop in the persecution of the New-Christians were not long in manifesting themselves. The bull of May 23, 1536, had upheld the provisions of the brief of October 12, 1535, and of the bull of April 7, 1533: all crimes of heresy prior to the date of this document were canceled, and they were not allowed to be revived. But when the establishment of the tribunal of faith in Coimbra was announced, and the faithful were told to come and report all those they knew of as derelict toward religion, the bishop of San Thomé failed to give the date beyond which these crimes were to be disregarded. This circumstance enormously lengthened the list of persons charged, many of whom were arrested and tried for acts said to have been committed more than sixteen years before. As if this were not enough, in the depositions of witnesses no distinction was made between those who had seen things and those who had merely heard about them. Actions brought in the civil courts against these witnesses afterward proved that many of their statements were false, and that the declarations of others had been tampered with. When the dark dungeons of the towers of the ancient castle of Coimbra were entirely full of prisoners, many of them were herded in filthy and fetid huts. Loaded with irons and not allowed to communicate with each other, when anyone obtained permission of the inquisitors to speak with some of their people, it was necessary to propitiate the *alcaide*,³⁸ for the keys of the prison were in his hands, and though the prisoners had made many requests for a regular keeper of the prison, they never succeeded in getting one. Audiences were held only behind closed doors, and at first only the advocates were admitted; and when, after they were forced to it by requests and complaints, permission was allowed sons, brothers, relatives, or attorneys of the defendants to present matters verbally before the tribunal, if they spoke freely, the bishop arrested them and fined them. Such arbitrary acts aroused general indignation among educated people. In the order of procedure the most trivial rules of justice were violated at every step. Questions were put to the witnesses with the most scandalous partiality, and the bishop easily silenced those for the defense by threatening them with excommunication, placing limits on their depositions, and abusing them as liars when they said things that displeased him. Sometimes he had for a clerk a seventeen-year-old boy, a nephew of his, who hardly knew how to write. It is easy to imagine the gravity, the discretion, and the moderation of a tribunal of faith where an illiterate boy served as clerk, a shoemaker as solicitor, and a personal servant of the judge as bailiff, and where the judge himself was a man to whom "New-Christian" meant a Jew in disguise.

³⁸ We translate a case taken at random: the memorial of the New-Christians we are following calls him the *præfectum carceris*, "prefect of the prison."

In a protest addressed to the king regarding the abuses of the Inquisition at Coimbra, the people of the *nation* did not confine themselves to pointing out these irregularities in general terms, but they appealed in support of the truth to the testimony of persons conspicuous for their learning and probity. They went into details. As long as they did not go beyond generalities, it is possible that the grievances of which they complained may have been painted in rather lurid colors; but when persons and circumstances were specified, when an examination into the truth of statements was an easy matter, it would be carrying doubt to the highest pitch to suppose they were inventing romances. We therefore think it well to give here descriptions of some of the scenes that occurred in the Inquisition of Coimbra, making virtually a word-for-word transcript of the contemporary narrative. The imagination of the reader will thus be able to supply the description of many others that lie buried and forgotten beneath the vaults of the castle of Coimbra, whose actors had their lips forever sealed by the tomb or by the flames of the Inquisition.

Simão Alvares was a New-Christian who had come from Porto to Coimbra some nine years before with his wife and a daughter then a little more than six months old. This family was one of the first to be sacrificed. Father, mother, and daughter were imprisoned in the castle. It seems that the accusation against them spoke of crimes of Judaism committed at Porto, and probably witnesses against them were lacking. The bishop wanted to prove the crimes. A way out of the perplexity occurred to him. He had the daughter of Simão Alvares brought into his presence, and placing before her a brazier filled with burning coals, told her if she did not confess to have seen her father and mother whipping a crucifix, he would have her hands burned in the brazier. The terrified child confessed that she had seen her father do so in Porto, and the bishop had the proof he wanted, though the witness was speaking of a time when she was but a little more than six months old.

The case of some prisoners from Aveiro, husband and wife, came up for trial. A female servant who had come with them was called before the Inquisition, and the bishop urged her to declare that she had seen her employers following practices contrary to the faith. The declaration of the witness, however, was exactly the contrary. The enraged Dominican had her locked up in prison. From time to time he sent word to her that if she wanted to be set free, she should accuse her master and mistress. She steadily refused. Finding that neither love of liberty nor demonstrations of benevolence, which he also tried, shook the constancy of that noble character, he one day called her into his presence and tried to persuade her himself. It was all in vain. Filled with wrath, the frantic friar began to beat her with a stick until he broke it on her head and

back, leaving her covered with blood, and the reverend torturer had the deposition he wanted drawn up to the sound of the shrieks of the unfortunate woman. This method of getting at the truth seems to have been the favorite system of Friar Bernardo da Cruz, but at times he got the result without going to the extent of using the pastoral staff, and he was content to refresh shortcomings of memory with slaps and blows with the fist, leaving the flogging to his inferior bailiffs. It is true that the system was applied only to people of the lowest class or to slaves. And even when the bishop was in a good humor, he limited himself to leaving stubborn people to rot in the depths of their prisons.

During the period when persons charged with Judaism began to fill the dungeons of the castle, there were selected as servants of the prisoners a female servant of the mayor (*alcaide*), and the wife of a mulatto detained there, whose ears had been cut off on account of his having committed robbery. The two women servants were believers in the doctrine preached by the bishop of San Thomé of the necessity of avenging the death of the Redeemer upon the New-Christians. The prisoners were systematically robbed, even robbed of their food, and so hunger added to their sufferings. Their complaints were so constant that the Dominican feared that these victims, whom he intended for the flames, might die of starvation; so after some months they were allowed to be served by their own people and to receive the necessary food from their hands.

The Dominican was, therefore, capable of pity. He even had periods of good humor, which he manifested in a rather expressive fashion. He was fond of ordering brought into his presence the married women and bashful girls who were shut up in the dark recesses of the castle of Coimbra with their parents, brothers, or husbands. With singular humanity he then tried to remove from their minds the sad presentiments and evil forebodings that afflicted them. In vain they remained silent and refused to hear him. He prayed that God might make them happy, and he declared that Her Highness, the queen, could not boast of having in her palaces so many and such beautiful ladies. In honor bound to prove the truth of what he said, he went into ecstasies over the beauty of this one's eyes, and that one's graceful form. Nor was he less touched by the sufferings of the frail sex. If one of them became ill he went and sat by her bed, and, in spite of all resistance, felt of her pulse and took her in his arms. Perhaps to conceal his apprehensions regarding the condition of the sick ones, while studying the progress of the illness, he entertained them with observations of a connoisseur upon the more or less ideal contours of the arm he held, and these observations served him as a text for a series of pleasantries so witty that the blush of shame covered the cheeks of the unhappy women, whose only recourse was to call down

the future justice of God upon such infamies, for their natural avengers lay, like themselves, in irons.³⁹

When the spirit and conduct of the first inquisitor of Coimbra were such, one may conjecture what would be the behavior of his delegates throughout the vast territory under the jurisdiction of that tribunal. But no one showed himself so worthy of such a chief as the one from Aveiro. He was the vicar of the church of São Miguel, and was notorious for his dissolute life. A man given to hunting and gambling, and openly known as a fornicator, the persecution of the New-Christians came as an agreeable distraction from his ordinary diversions. No sooner was he made a delegate of the Inquisition than he began to arrange for accusers and witnesses. Though he was repelled by many whom he sought to induce to enter this odious business, he was not altogether at a loss for someone who would undertake it, especially as it furnished a means, already satisfactorily tried out, for stirring up personal hatred and for gratifying a thirst for vengeance. The penalty of excommunication fulminated against those who failed to report acts of Judaism of which they had information also gave him accusers, and insults, which he did not spare those who refused to be his tools, put in his power more than one timid character. But there was one way of escape from the constraint of this man. That was bribery. More than one defendant secured his liberty in exchange for bribes, and even while the arrests of the New-Christians were most frequent, the concubine of the vicar of São Miguel actually went from house to house promising this one and that one that they would not be made prisoners if they would be generous. They accused him of having embezzled various ornaments of the church, of gambling with the alms given for charitable purposes, and of having

³⁹ This paragraph of the report made by the New-Christians to Dom João III in 1543 is so curious that we copy it here: "*Praefatus episcopus . . .*"—"The said bishop having no regard to the dignity of his cloth and his rank, often repaired to the castle and commanded the presence of married women and women of rank and blushing, timid girls; and setting himself to talk with them, against their will, he would pray God might bless them: the Queen herself had not so many nor so lovely damsels as he had there; saying to one that she had beautiful eyes and to others that they had good figures. And if one of them was ill, he would go to her bedside, and would raise up her arm, against her will, saying he desired to feel her pulse, adding that her arms were fat, thin, or fleshy, according to his whim, together with other matters and highly improper witticisms which caused the said women to be covered with shame. But because they were subject to his rule they could only bear their wrongs with as good a countenance as possible, since they had none there to whom they might complain of such treatment; and their husbands have the same ground of complaint, since being incarcerated, etc."—"Excessus Inquisitorum Civitatis Colimbriens," *Symmicta Lusitana*, Vol. XXXII, folio 346 v. Regarding the preceding paragraphs see folios 332 et seq.

seized the wife of a New-Christian to whom he owed money, so that he could tear up the note in the midst of the disturbance that followed; they accused him of more than one infamous solicitation made in the confessional, and of revealing the secrets of the confession in order to gain his ends. As an agent of the Inquisition, as a priest, and as a man, the delegate of the bishop of São Thomé was a wretch. The Memorial of the Portuguese Hebrews, which treats of the persecution in Aveiro, mentions facts too repugnant to be described, and which indeed would be incredible if that Memorial did not rest upon testimony of scores of individuals of all ranks, both ecclesiastic and secular. If such statements had been untrue, they would have been highly discredited by the very witnesses to whom they appealed, and whom the New-Christians asked to have heard at once.⁴⁰

In the midst of this frenzied intolerance, the remoteness and inaccessibility of some districts, which usually even to this day are almost forgotten, fortunately or unfortunately, in the administrative life of the country, did not prevent the iron hand of tyranny from finding its way there and weighing heavily upon a race which probably hoped that, in these mountainous and forest-covered districts, it might be forgotten by a fanatical king and a hypocritical court. These out-of-the-way places of eastern Beira, as we have seen, formed a vast territory that had been turned over to the Dominican friar, Bernardo da Cruz, to devastate. Taken up with the salvation of those imprisoned at Coimbra, the worthy prelate could not labor with so much activity in the maintenance of evangelical purity in all the places committed to his apostolic zeal. But, at least, in his selection of the vicar of San Miguel in Aveiro, he showed that he knew how to choose agents who would comprehend his intentions. Besides, the supreme tribunal of faith helped him in every way possible in that laborious mission. In 1543, when persecution was most violent in Coimbra, a member of the general council of the Holy Office, Rodrigo Gomes Pinheiro, traveled through the districts of Vizeu and Aveiro persecuting Judaism.⁴¹ Accusations and captures soon reached the eastern part of the province. At that time a great many families of New-Christians lived at Trancoso, and it is readily believed that the Jewish beliefs were there kept most active. The scenes of violence enacted in that village, at that time populous and wealthy, were terrible. As soon as the commissioner of the Inquisition reached there, he issued a proclamation prohibiting all New-Christians from leaving the village, and declaring that those who disobeyed should at once be regarded as heretics. This proclamation, accompanied by the usual warnings announced from the pulpits,

⁴⁰ "*Excessus Inquisitorum in Oppido d'Aveiro*," *loc. cit.*, folios 348 v. et seq.

⁴¹ "*Excessus Inquisitorum Civitatis Colimbriens*," *loc. cit.*, folio 339.

calling on the faithful to report all persons suspected of Judaism, and describing minutely what facts rendered them subject to suspicion, produced such a vivid impression that, instead of obeying it, the New-Christians fled immediately, almost all of them, abandoning their homes, their property, and their children. The thirty-five who remained behind were immediately arrested, evident proof that the fears of the fugitives were well founded, or that they knew beforehand the lot that awaited them. The report of what had happened at Trancoso spread throughout the neighboring settlements and created a genuine uprising. The country people of the surrounding region to the number of five hundred rushed into the village, urged on by the hope of being able to commit all sorts of excesses under cover of religious zeal. The fugitives and the prisoners were rich, and their families had no one to protect them, so that the rabble could safely perpetrate all kinds of outrages and atrocities. Three hundred small children were wandering aimlessly about, homeless, scattered, and crying aloud for their parents. The thirty-five New-Christians who had been arrested were dragged to Evora, and there thrown into the dark dungeons known as the vaults of the Inquisition.⁴²

Working in this fashion, the tribunal of faith was worse than a tyranny: it was anarchy clothed with the powers of authority. In revolutions initiated by the people, there are always orderly elements that tend to restrain irregularities, and which sooner or later put them down, or transform them, when their further progress threatens the stability of society; when they overthrow more than should be overthrown. But here were the chief elements of order, the priesthood, monarchy, magistracy, openly stirring up strife, agitating the common people and inciting them against a peaceful and obedient class, which represented to a large extent, and perhaps chiefly, the economic forces of the country. It was the very subversion of the fundamental principles of civil society, and a subversion proclaimed in the very name of the Gospel. Never, either before or since, has Christianity been so calumniated. Even the petty judges who formed the last link in the chain of judicial rank voluntarily set themselves up as commissioners of the Inquisition, ordered the monitories of the inquisitors to be published, and acted as delegates of the tribunal. There were places where the superior civil authorities and the landed proprietors were obliged to put some of these improvised defenders of religion in jail, in order to prevent as far as possible complete anarchy.⁴³

⁴² Document in Drawer 2, M. 2, No. 27, of the National Archives. "*Oh piêta grande! che . . .*"—"Oh piteous night! There are wandering at large about the streets 300 babes without a single person to guide them or to give them shelter, weeping and crying for their fathers and mothers."—*Ibid.*

⁴³ *Ibid.*

But while some public officials occasionally restrained the extreme consequences of the excitement of the common people, there were others who, by guaranteeing them impunity, upheld the agencies that were producing so much disorder. In Covilhã the people entered into a conspiracy to burn all New-Christians on a certain day. Here was the Inquisition reduced to its simplest form. The mob gathered, and fires were started in front of the doors of the designated victims. We do not know how the disorder was quelled. The member of the council (*ouvidor*) of the infante, Dom Luiz, lord of the manor of Covilhã, opened an inquiry in which witnesses were questioned and the facts verified. The parties interested asked for a certified record of inquiry. This was denied them, in violation of the laws of the kingdom. They appealed to the supreme tribunal, which ordered the required certificate to be issued. The order was disobeyed. The aggrieved parties complained to the chief justice of the supreme court. He ordered the clerks of the court, and the report of the trial itself, brought before him. They came, but the papers disappeared while in charge of the chief magistrate. A little later the attorney of the offended parties was called before him and ordered not to take any further steps in the matter. Convinced that they could not expect of society either protection or justice, the New-Christians of Covilhã abandoned their homes, and those who had an opportunity to do so fled from the kingdom.⁴⁴

There were some facts so notorious that they cannot be denied by the partisans of the Inquisition, though they may try to obscure and excuse them. Acts of tyranny, violations of law, and even of the special laws invented for the purpose of the tribunal of faith, and the physical tortures and moral agonies suffered within the dark underground prison, these they might deny. For to deny those things one needed only a little impudence. But today are we to believe the denials of the executioners, or the complaints of the victims? The inquisitors had adopted a method which they believed, or they pretended to believe, was thoroughly efficacious in getting at the truth. It was to make use of the confessions of one defendant against another defendant, and as they were morally bound to each other, their testimony would be mutually favorable. These confessions were extorted under torture. On the rack or the *strappado*, a son never hesitated to accuse his father, a husband his wife, a mother her daughter. They would have accused God himself, if the inquisitor had given them to understand that such an accusation would deliver them from their unbearable sufferings. The New-Christians applied an analogous doctrine in support of their own statements. They asked for

⁴⁴ "Annotationes Criminum et Excessum Inquisitor per Totum Regnum," *Symmicta Lusitana*, Vol. XXXII, folio 267.

civil inquiries; they appealed to the testimony of Old-Christians, and they did so confidently; they cited in favor of their statements priests, noblemen, officials, magistrates, all of them men who, by position, habit, education, and by their partiality to the monarch, must necessarily be friendly to the Inquisition. But what was lacking to compel them to testify thus and so was the rack, the *strappado*, the bed of rotten straw in the prison, the scanty food, and the perpetual night of the dungeon. The persecuted people hardly hoped that the probity and conscience of these persons would speak louder than the spirit of partiality, louder than the religious prejudices and the fear of displeasure or the desire of the good will of the prince. Their disadvantage, as compared with the inquisitors, was incalculable, immense; and yet they did not suppose that the atrocities perpetrated at Aveiro, in Coimbra, and elsewhere, would be believed on their word alone; dozens of witnesses were cited by them in the long report addressed to Dom João III in the name of the people of the *nation* in 1543, a solemn document, in which still shines forth a trace of hope in human justice. What did they ask of the king? That he should discuss this matter with those of his counsel and through the grandees of the kingdom, among whom were judicious, prudent, discreet, and learned men, and men of good conscience, but that he should not give ear to men open to suspicion, such as the friars of St. Dominic, who were enemies of the persecuted race, and whose inveterate hatred was due to the punishment inflicted by Dom Manuel on the authors of the assassinations of 1506.⁴⁵ Complaining especially of the ferocious irregularities of the bishop of San Thomé, they merely asked that some person of sound conscience and high rank be sent to Coimbra, at the expense of the defendants, who should inform himself of the truth in regard to each one of the aggrieved parties whom they named, giving them time to prove fully whatever there was doubt about. When the truth was reached, they asked, not liberty or reparation, but simply that they be tried anew by a person who respected law and justice.⁴⁶ Let the reader decide for himself who lied, whether those who made this request, or those who denied that their acts, committed in secret and in the obscurity of dungeons, were in accordance with those which without shame, and without respect for their moral responsibilities, they practiced in the light of day.

What took place in the dioceses of Coimbra, Lamego, Vizeu, and Guarda was repeated with slight differences in Porto, Braga, Evora, and Lisbon. In Porto the Inquisition had taken a peculiar form. Its existence was connected with an economic question: The bishop of the diocese

⁴⁵ Petition to the king, in *Symmicta Lusitana*, Vol. XXXII, p. 278 v.

⁴⁶ "*Excessus Inquisitorum Civitatis Colimbrens*," *ibid.*, folio 348.

at that time was a Carmelite, Dom Friar Balthasar Limpo, a person who passed for a learned and austere man, and who, in so far as can be judged from the records we have regarding him and from his correspondence, was certainly no ordinary person. We even suppose him to have been sincere in his religious zeal. The noble and independent language in which he addressed the pope regarding the reform of the church, his independent opinions in the council of Trent, show that the character of the bishop of Porto was very different from that of the bishop of San Thomé.⁴⁷ But the severity of Dom Friar Balthasar evidently shows an impetuous, ardent character, and one inflexible and absolute in its opinions. When to a character with such traits are added profound religious sentiments, we have a fanatic. Religion, whether natural or acquired by education, when cast in the mold of an obstinate but gentle temper, makes the martyr; when joined to an irritable and bold disposition, it makes the persecutor. Fanaticism and force are inseparable where force is possible. When fanaticism goes beyond the limits of morality and justice, it is because, reason being perverted, the clouded conscience tells the man that religion so requires. The barriers of conscience once passed, there is no abuse or crime he cannot commit without being strictly a criminal. That is what distinguishes him from the hypocrite; the distinction lies in the difference of responsibility. But in history, unfortunately, the distinction is a difficult one to make, and at times quite impossible. On this hypothesis we should like very much to find full proof of the irresponsibility of Dom Friar Balthasar Limpo.

As we have said, the existence of the Inquisition at Porto was connected with an economic question, or rather it was preceded by such a question. The bishop had conceived the idea of building on a site where a synagogue had formerly stood, close to the district in which the New-Christians of the city lived, or at least the majority of them. The remains of the synagogue that the Carmelite bishop wanted to turn into a church were in Rua de S. Miguel,⁴⁸ a street only half occupied, the buildings of which belonged, for the most part, to Hebrew families. About that time the proprietors had asked, in order to restore and repopulate this street, one of the principal streets of the town, that the woolen fabric shops might be built there. Though the petition had already been decided favorably, certain difficulties had arisen which delayed the carrying out of the plan.

⁴⁷ Perhaps nothing gives a clearer idea of the spirit of Dom Friar Balthasar Limpo than a long letter of his to Dom João III dated at Rome, November 7, 1547, which is in Drawer 2, M. 5, No. 37 in the National Archives, and which we shall use further on.

⁴⁸ It is not probable, as may be seen from the narrative, that Rua de S. Miguel in Porto, "one of the principal streets," was the one which now bears that name. It must have been one more centrally located, perhaps Rua dos Mercadores.

In order to raise funds for the building he had in mind, the bishop, at this juncture, called together the New-Christians and asked them to state how much each one would contribute to that pious undertaking. They declared that under existing circumstances each one would give three or four *cruzados*, but that if their plan should be carried out they would build the church, contributing generously for that purpose. The bishop accepted the condition; but difficulties continued to arise, and the New-Christians, perhaps unjustly, began to accuse him of dishonesty. They asserted that, far from favoring the design of housing the shops, he was secretly doing all he could to prevent it. Mutual suspicion produced irritation, and irritation brought groundless charges. The bishop demanded the promised funds: the New-Christians flatly refused to furnish them until the conditions of the promise were complied with. The wrath of the prelate then broke forth in terrible threats of vengeance, and the vengeance was not long in being realized, and that too quite out of proportion to the offense, if indeed there was any offense.

The Jews were terrified. Porto had already witnessed more than one scene of violence as the result of the irascible character of the Carmelite. On one occasion he had ordered the proctor of the crown records thrashed for having offended certain episcopal rights in the discharge of his duties; while a nephew of the Count of Faria who had passed the prelate without taking off his hat had been insulted by him and warned that a repetition of the discourtesy would perhaps cost him his life. The sensation caused by this event led to a judicial inquiry which the Carmelite was able to prevent only by asking the intervention of the Count of Faria himself. Such was the man whom the New-Christians had had the imprudence to irritate.

The bishop of Porto knew how far his episcopal rights went; he knew that to be an inquisitor in his own diocese he did not need the authority of the Inquisition. He therefore began to try the New-Christians. The general council soon established one of its delegations at Porto, but the prelate, whose right to share in those matters was virtually recognized by the bull of May 23, 1536, did not forget, whether residing in the diocese or at the court, to make life a burden for the proscribed race, whose complaints were chiefly directed against his authority. It was not long before there were repeated to the north of the Douro the same scenes of tyranny, spoliation, and immorality that had been enacted in the central and southern parts of the kingdom. There were the same monstrosities in the conduct of the trials, the same corruption of witnesses by wheedling or by terror, and the same extortions on the part of the inferior agents. The Memorial that serves as our guide, and which was addressed to the infante, Dom Henrique, in regard to the conduct of the Inquisition

at Porto,⁴⁹ is not sufficiently explicit in regard to the members of that tribunal. What does appear is that one of the inquisitors of Lisbon, Jorge Rodrigues, had been sent there, but that the bishop directed everything, either as the principal commissioner, or by right belonging to him as bishop of the diocese, and by his independence of character. The hate of the old Carmelite was no longer limited to those who had offended him; it was war to the death to every one of the Hebrew race. Going to Mesão Frio, the population of which, at that time, did not exceed one hundred and thirty or one hundred and forty inhabitants, he heard, in a single day, the depositions of nearly three hundred witnesses concerning the New-Christians of the village. It is easy to imagine how the questions must have been put, how the replies were written, and how many were found guilty. In Villa do Conde and Azurara matters were conducted in the same way. In Porto there were nine individuals who made a business of giving evidence against Judaism, and who gave evidence in behalf of the prosecution in almost every one of the trials. Noted among them was Catharina Rodrigues, a public woman of the lowest class, and who even sold herself to slaves. The secretary of the tribunal, Jorge Freire, former receiver of certain revenues of the diocese, and up to that time poor enough, grew suddenly rich in his new office, an example that was not wasted on the other officials. But, blinded with resentment, the bishop saw none of these things, and did nothing about them. Even Catharina Rodrigues herself found favor and kind treatment at the hands of this harsh and terrible priest. When the defendants, in spite of all the difficulties placed in the way of their own defense, succeeded in proving that the charges and depositions made against them were pure calumnies, and that there was nothing to be done but to let them go, those making the complaints and the false witnesses went unpunished, and if any one of the wronged parties moved for action in the civil courts, he was accused and arrested again. The prominent part taken by the bishop in the decisions awakened the jealousy of the inquisitor, Rodrigues; but this jealousy, which the defendants might have turned to account under other circumstances, was rendered useless by the relative positions of these two members of the tribunal. Jorge Rodrigues was old and paralytic, and, although a skilful jurist, made but a feeble resistance to the fiery Carmelite, who, educated in a convent, had had no occasion to devote himself to canon law. Thus the sentences generally represented only the incompetent decision of the prelate, and the delegated inquisitor, when he thought them unjust, confined himself to refusing to announce them in the court, or to declaring at the time of their publication that his vote was contrary,

⁴⁹ "*Excessus Inquisitorum Civitatis Portugallensis*," *Symmicta Lusitana*, Vol. XXXII, folios 365 *et seq.*

but that he had to yield to the inflexibility of Dom Friar Balthasar. The prosecuting attorney of the Inquisition, João do Avellar, was a man of dissolute habits, and like all the other ministers and agents of the tribunal, was a creature of the bishop. The violence of his character and the profound rancor he exhibited toward the New-Christians had won for him the bishop's favor. In the performance of his functions, João do Avellar neither repressed the one nor concealed the other. When there was presented to him one of those briefs of special protection which the New-Christians were in the habit of buying in the Roman market in order to escape the atrocities of the tribunal of faith, he at once protested against it, and, frothing with rage, he even went so far as to say that he would rather his daughter should become the prostitute of the king than to recognize the validity of such briefs. The hearings and judgments of the Inquisition at Porto gave rise to scenes no less passionate on the part of Dom Friar Balthasar; scenes easily imagined when we remember that, naturally, those who had aroused the persecution by refusing to give the money promised for the new church were not the last ones to enter the prisons of the Holy Office. One of these men, Henrique Luiz, was condemned to ten years of solitary confinement; the bishop found his colleagues opposed to going further, and to condemning him to be burned at the stake. But he won at last, and declared that if it were an injustice, he would accept the responsibility for it before God. One can imagine the rage that witnesses favorable to the defendants stirred in his mind, especially when the depositions were precise, and when he could find no way to weaken or shake their testimony. He often broke forth with insults to those who dared thwart his purposes. He bestowed upon them the epithets of dogs, Jews more Jewish than the accused; these, and spitting in their faces, were the amenities to which Friar Balthasar resorted at times in order to reduce them to silence. The abuses of the subordinate ministers were in keeping with this fanatical hatred of the bishop, whom the blindness of passion carried almost to madness. Some honest officials, to whom these excesses were repugnant, resigned their positions, but this only enabled those agents who concealed their evil intentions beneath a cloak of zeal the more easily to realize them. The first clerk of the tribunal had resigned out of distaste for such things, but the one who succeeded him, a member like him of the assembly of friars, was better able to conform to the ideas of the prelate. The jailer and the prison warden also belonged to the band of zealots. The jailer, a former servant of Dom Friar Balthasar Limpo, had selected a warden who would be the tool of his own wickedness. Together the two found a thousand ways to oppress the prisoners, to extort money from them, and to subject them to all their whims, while leading the bishop to believe

that their hands were clean, and that only their zeal made them strict to the point of cruelty. The jailor's fee for each prisoner was usually one or two doubloons⁵⁰ but when the wealth, whether genuine or supposed, of one of them awakened the cupidity of the jailer, the fee went up, sometimes to twenty doubloons. The condition of those who could not pay was distressing. The warden completed the extortions of the jailer. Without money there was no opening of the doors for the lawyers and solicitors to talk with the prisoners, or even for the admission to their dismal dungeons of the commonest necessities of life. Although Antonio Pires, the doorkeeper, was a married man, it appears that he found the hours passed in the inquisitorial chambers long and tedious. There were imprisoned there two New-Christians, a mother and her daughter, already sentenced to life-imprisonment and the so-called *sambenito* garments. These women were at the mercy of Antonio Pires, and words of brutal love sounded, perhaps for the first time, within those walls dank with the sweat of a thousand agonies. The girl was outraged. For this unhappy creature, in the very springtime of life, the light of the sun, the sight of the heavens, the verdure of woods and fields, dawn and twilight, the aroma and tints of flowers, had all ceased to exist. Physical nature had vanished from her sight, so had all the hopes of the moral world; and her life, stretched out before her in endless perspective, was now filled with two realities, perpetual imprisonment and vain regrets. The dungeon was her adopted country, the *sambenito* her dress and her shroud. What must have been her thoughts when dishonored, and having a mother's love to witness her dishonor, conscience told her that she had sunk one step lower than the lowest depths in the scale of human misery? Under such circumstances the human heart either breaks, or it rises to the terrible magnitude of the heart of a demon. And that is what happened in this case. The victim of Antonio Pires came to glory in her dishonor, proud to bear the fruit of a base adultery. Like Eumenides among her ancient companions, it was she who completed the tortures of the *strappado* and the rack whenever the bailiffs gave truce to the martyrs. The humiliation and the privations of the women who were unfortunate without being infamous, how they comforted her spirit! Her whims were law. At the slightest disobedience, vengeance was prompt; the ferocious Antonio Pires distributed torture and insults with a lavish hand, prevented the supply of food, and devised every form of oppression that her diabolic soul could conceive. If we are to believe the memoirs of the New-Christians, these facts were generally known in Porto. So the bishop could not have been ignorant of them. And Dom Friar Balthasar Limpo,

⁵⁰ [The *dobra* or doubloon was a gold coin formerly worth 12,800 *reis* and later 17 *milreis*.]

the man who, a few years later, thundered in the Vatican against the immense corruption of Rome, who compelled the pope to bow his head before the charges brought by him in the name of God, tolerated these repugnant dramas that were being enacted in the prison cells of the Inquisition, as if they had been works of piety and worthy of praise; a striking example of the depths to which we may be dragged by the three worst human passions, fanaticism, revenge, and insensate pride.⁵¹

In Evora the conduct of the Inquisition, though controlled by the same spirit of implacable ill will that dominated this institution in the northern provinces, presented a peculiar character. Dom João III and the infante inquisitor-general had an especial attachment for the city of Sertorius (Evora), where they often lived for months at a time. The king and the court were in accord with the ideas of the inquisitors, but they could not tolerate acts in which licentiousness, robbery, gross insults, and noisy demonstrations in public squares in the tribunal were openly associated with atrocious persecutions. That would be the negation of all government, and no government, however bad it may be, can refuse to support itself. Even tyranny seeks plausibility. The scenes of unbridled corruption, that were being repeated at a distance, became morally impossible in the presence of a court that was precise in the performance of its duties, cultured, and bigoted. Here hypocrisy had to be cautious and fanaticism serious. And so it was. The jails of the Inquisition at Evora were, as we have seen, the most dreaded: the vaults had acquired a terrible celebrity. Their relations with persons outside offered the greatest difficulties; those subterranean crypts stifled the groans of their victims better, and their secrecy covered with a thicker veil what took place within. For there more darkness was necessary. The man who directed the Inquisition at Evora was a Spaniard, Pedro Alvares de Paredes, an inquisitor who had been in Llerena, from which place, if we are to believe the memoirs of the New-Christians, he had been expelled for forgery and other crimes.⁵² Evidently this person had been selected with discernment. He not only had the art of manufacturing proofs *pro* or *con* according to the requirements of the business in hand, but he had also learned to his cost that prudence and shrewdness should be the partners of wickedness in disguise. Long experience had taught him how many

⁵¹ *Symmicta Lusitana*, loc. cit., *passim*.

⁵² *Excessus Inquisitorum in Civitate Elbor* ("Excesses of the inquisitors in the city of Evora"), *Symmicta Lusitana*, Vol. XXXII, folio 318. The narrative, in speaking of the crimes for which Pedro Alvares de Paredes had been expelled from the Inquisition of Llerena, refers to the "*publicis instrumentis*," etc., "public records which ought to be shown to the nuncio of Portugal together with the allegations of those crimes which he has committed since he has been in the kingdom."

ways there were in human ingenuity to compromise the people of the *race* in religious crimes. The greater part of the horrors practiced in Portugal were attributed to his advice. There was no one so skilful as he in getting crimes confessed, whether the persons charged had committed them or not. One of his expedients to this end was to have false letters, written in the námes of relatives of the prisoners, placed in the bread or other food that passed through the hands of the guards before it went into the prisons. In these notes the imaginary parents, brother, or friend urged the prisoner to confess all that could be imagined, for without this death was certain, while a full confession, though more or less inexact, would save his life. The strange handwriting in the notes did not excite the suspicion of the prisoner, for it was only natural that the obliging adviser should not want to risk putting in the hands of the inquisitors a document in his own handwriting in case the note should be seized. The other means he employed to justify all the cruelties of the Inquisition and all its judicial assassinations was to pretend that the trial was concluded, and to read to the defendants their supposed sentences by which they were turned over to the secular branch and condemned to death. Then, when terror had upset their minds and the cold sweat of agony was running down their faces, or when, under the impulse of despair, they rolled on the ground, gnawing their hands, and blood-stained froth bubbled from their lips, the compassionate inquisitor suddenly lighted up the night of their souls with a ray of hope. The confession asked of them would save them; for such confession would be the forerunner of repentance. In such a state of anguish any defendant would confess that he had swallowed the moon, if they wanted him to. It was the ideal of the rack and the *strappado*; it was moral torture. They confessed whatever they were told to confess. These confessions were written out and the parties pleading guilty signed them. The part relating to the pretended final judgment and sentence was then separated from the documents relating to the suit. The confession, when written out and attached to the report of the trial, then authorized the passing of a real sentence, and the justice of the tribunal of faith was thus completely vindicated. Such expedients did away with irregularities in the trial, false witnesses, and denial of means of defense. Pedro Alvares de Paredes was a very model for judges who respect formalities and justice. Appeals from the tribunal of Evora to the infante inquisitor-general, and from him to the supreme council, had become useless. What appeal could have stood against a judge who was the very type of integrity?⁵³

In Lisbon, too, as well as in Evora, the procedure of the Inquisition had to be more decorous than in the remote provinces, for the reason that

⁵³ *Ibid.*, *passim*.

the court was there a large part of the year, and because Lisbon was the capital of the country, and the usual residence of the nuncio. Acts of the tribunal in this city were vastly more exposed to unfavorable opinion, and the groans of victims were more difficult to stifle. The Inquisition of Lisbon was composed of four inquisitors, Friar Jorge de Sanctiago, a Dominican, Jorge Rodrigues, transferred in commission to Porto, Antonio de Leão, and João de Mello. This last presided, and it may be said that he was the soul of the tribunal. João de Mello had been one of the first chosen in 1536 by the chief inquisitor, Friar Diogo da Silva, as a member of the general council. The temperate character of Friar Diogo da Silva did not permit his counsellor to develop his natural tendencies; but the resignation of Friar Diogo, and the appointment of the infante, Dom Henrique, to that office gave him preponderance. João de Mello was the one in the council who best represented the spirit of the times; he was the most inexorable enemy of the people of the *nation*. Jorge Rodrigues had descended to a tribunal of the first instance just as he had done when transferred to Porto; but as commissioner in Lisbon he had only to submit to the will of an irascible and impetuous prelate and a greater persecutor of the New-Christians than the delegate of the council himself. The activity of João de Mello in his new position could be developed better than in a tribunal of appeal; and the facts soon proved that the chief inquisitor had not made a mistake when he placed him at the head of the most important of the special inquisitions.⁵⁴

The chief of the Inquisition of Lisbon, as may be inferred from the records we have concerning him, and from such of his acts as are known to us, was of a character which, while sharing more or less the different traits of the bishop of Porto and of the inquisitor Pedro Alvares, was unlike the character of either of them. His deadly hatred of the Hebrew race was not less than that of Dom Friar Balthasar; but that it was the blindness of fanaticism that inspired him seems to us more than doubtful. He did not lack a certain degree of intelligence and of positive knowledge acquired through study; but he lacked the austere manners of the prelate of Porto. Though possibly of as violent temper as the latter, he knew better how to repress it, and while he might not be equal to the inquisitor of Evora in the science of simulating equanimity and tenderness, he had the art of feigning them on occasions when the absence of pious expressions and deportment and of a bitter-sweet language might have compromised him in popular opinion. Like Pedro Alvares de Paredes, João de Mello liked to be plausible.

Meanwhile beneath the roof of the Inquisition of Lisbon were being repeated the same scenes of corruption and wickedness as were being

⁵⁴ See Sousa, "*De Origine Inquisitionis*," paragraphs 2 and 4.

enacted elsewhere. If we are to believe the New-Christians greater secrecy was observed there than elsewhere, and the unfortunates who fell in the hands of the inquisitors had greater difficulty in communicating with the outer world. However sad and pestilential the famous vaults of Évora might be, the solitude of the prisons of Lisbon was yet more nearly complete. Not one ray of light, either by day or by night, ever penetrated into those lugubrious abodes, and the only voice ever heard there by a new inmate of those tombs was that of some minister of the tribunal who descended to advise him to ask for mercy, assuring him that his enormous sins were fully proved.⁵⁵ If he did not fall into their trap, but continued to resist these prolonged importunities, they took him to the place of martyrdom. First they gave him the *strappado*. If, whether guilty or not, he continued to declare his innocence, they slashed the soles of his feet, rubbed them over with butter and brought them close up to a fire.⁵⁶ Usually the result of this expedient was an absurd confession, but one quite satisfactory to the inquisitors.

The bull of May 23, 1536, authorized defendants to appoint as their attorneys and advocates whomsoever they chose. But a free choice might possibly bring about serious embarrassments. A single eloquent voice might make the capital ring with the black history of so many atrocities. So the Inquisition admitted to plead before it two or three of the most obscure lawyers. The defendants were allowed to choose only one of these. Bound by the inquisitors not to go, in their defenses, beyond certain limits prescribed for them, these men, standing between starvation on account of their lack of ability in their profession and wealth at the expense of their compulsory clients, whom they neither knew how to save nor cared to save, reduced their statements to a mere formality, a vain semblance of defense. So the accused had no hope save in asking for

⁵⁵ Regarding the secrecy of the prisons there is a curious defense by João de Mello (Drawer 2, M. 1, No. 21), in reply to an examination made by four New-Christians by order of the king, which we shall use further on. According to the honored inquisitor, no place was more accessible than the prisons. The secrecy lasted only until the trial began (which might be put off for years) or when the defendants were being questioned, or were confessing, or in other similar matters, or so that they could not get information from outside, or that they might not furnish it to someone else. Otherwise they could talk with whomsoever they wished. One would say that Beaumarchais, in his facetious description in *Figaro* of the freedom of the press under an absolute government, had this singular statement of João de Mello for a model.

⁵⁶ "*Et quando ea via . . .*"—"And when they cannot do it this way, they put them to the torture of the rope, and if they do not accomplish it with that, they cut the soles of their feet and rub them with butter and move them up to the fire."—"Excessus Inquisitorum in Civitate Ulissipon," *Symmicta Lusitana*, Vol. XXXII, folio 289 v.

mercy. But how was he to get it? By confessing—confessing everything in the charges against him, however contradictory, absurd, and even impossible it might be. But it still remained to be learned whether the prescribed formula had been strictly complied with in the petition for pardon; and to find out whether repentance came from the heart or merely from the lips. The number of tears shed by the suppliant had weight in the moral balances of the inquisitors, and he whose heart was manly enough not to shed them paid dearly for having dry eyes at the critical moment. In fine, it all came down to the fact that the fate of the accused depended solely on the will of those who were trying them. It was the jurisprudence, the practical doctrine, the complete and irresistible organization of legal assassination.

Among the many outrageous facts mentioned in the various memorials of the New-Christians, the confirmation of which we shall still occasionally find in the reports of the trials of that period, perhaps none are so odious as those relating to the Inquisition of Lisbon. If the cruelty of some of those scenes stirs us to indignation, others are repugnant on account of their villainy, even though we suppose them to be rather overdrawn in the records wherein they are described. Among the persons filling the dungeons of the tribunal of faith was a woman named Maria Nunes, who was accused of Judaism. There was no evidence against her, and her husband was making efforts to save her; but it seems that the inquisitors were determined to ruin her. It was necessary to get witnesses. They knew where to find them. A certain Montenegro, who had been burned five years before, had accused many persons, in the hope of escaping. Among those inculpated was Maria Nunes. But when led to the scaffold Montenegro declared that his charges were false, and that he had made them because he had been promised his life in exchange for them. Montenegro's accusations had therefore been put aside; but the necessity of finding proofs against this poor woman brought them to mind, and the voice of the dead victim was evoked against her. A beggar habitually drunk, and who walked the city half naked, and for one *real* allowing boys to drive him with a string,⁵⁷ was the second witness. The third, who was still lacking, was supplied in the report of the trial by an anonymous deposition. It was, at times, through such proofs as these that persons guilty of the supposed crime of believing in the God of Moses were burned at the stake. A whole family, husband, wife, and daughter, whom it was decided to exterminate, was taken to the

⁵⁷ "*Pro auxilio deducun . . .*"—"They employ to help them one Pedro Alvarez, a drunken beggar, who had been criticized for exposing his *pudenda* and walking so, and for allowing boys, for a *real*, to tie a string about them and lead him through the streets."—*Op. cit.*, folio 294.

prisons of the Holy Office. The wife was shortly afterward burned in an *auto-da-fé*. The husband, confined in a narrow dungeon and loaded with irons, was tortured daily in order to make him confess himself guilty, but the unhappy man tenaciously refused to do so. They tempted the daughter with the hope of liberty to accuse her father; but, though little more than a child, she stoutly resisted. The key of her cell was then given to a porter, a servant of the tribunal, the only person with whom she was allowed to speak, and who entered her cell whenever he chose. It was suspected that this man violated the captive; but who could solve such secrets? Neither she nor her father was ever tried, and the final destiny of these two victims remains a mystery.⁵⁸

One can well imagine the terror of individuals of the proscribed race when they heard from the mouth of a familiar of the Holy Office the order to accompany him to the prisons of the tribunal. Of those who entered there, the less courageous not infrequently lost their minds. Two prisoners taken from Aveiro to Lisbon were so ill treated on the way, and were so overwhelmed by the future outlook, that, by the time they reached their destiny, they were completely insane. One poor woman with five small children about her, the eldest of which was barely eight years old, when taken to the Inquisition, asked why they had arrested her, and what her fate was to be. The servants amused themselves with telling her that she was going to be burned. In an excess of frenzy the unfortunate woman threw herself from a window, and when they went to get her in the court where she had fallen they found her quite dead. When the imprisoned women were pregnant, the horrors which surrounded the painful situation caused abortion.⁵⁹ Neither the beauty and modesty of their blooming years, nor old age, so worthy of kind treatment in woman, exempted the weaker sex from the brutal ferocity of the supposed defenders of religion. There were days when seven or eight of them were put to torture. These scenes the inquisitors reserved for after dinner. They served for dessert. Often they competed with others here as connoisseurs of the beauty of the human form. While the unhappy young woman writhed in the intolerable pains of torture, or fainted in the intensity of agony, one of them praised the angelic outlines of her face, another the brightness of her eyes, another the voluptuous outlines of her breasts, and another the shapeliness of her hands. At such times men of blood became genuine artists.⁶⁰ And João de Mello,

⁵⁸ *Ibid.*, folio 295.

⁵⁹ *Ibid.*, folios 297 and 366 v.

⁶⁰ "*Ponunt illas ad torturam . . .*"—"They put them to torture seven or eight in a day; and one exclaims, 'What a beautiful face the Jewess has!' Another, 'What eyes!' Still another, 'What breasts and hands!' So they make of it a pleasure and refreshment, like the dessert after a dinner."—*Ibid.*, folio 297 v.

a man in all the vigor of his youth, must have found those scenes delicious. The number of persons who entered the prisons of Lisbon between 1540 and 1543 cannot be determined, even approximately. Special prisons had been built for persons charged with Judaism; these receptacles of supreme misery were soon crowded. The enormous building of the General Schools was turned into a prison; but the new prison was soon insufficient. The *Estáos*, a royal palace situated in the Rocio, was then turned over to the Holy Office. But still there were not enough. The public buildings of the capital ran the risk of being transformed into jails, one after another. This idea perhaps gave them pause; but the stream of human beings that flowed into the dens of the Inquisition never ceased. In the inner courts structures like pig-styes were built to hold the new guests.⁶¹ The frequency of the *autos-da-fé* must therefore have rendered hygienic service. An epidemic might have broken out in those pestilential places, among a population packed in enclosures without air and without light, worn out by physical sufferings, and weakened by moral distress. Public health, order in the prisons, and the service of the king and of the state required from time to time a reduction of that enormous mass of human flesh to more reasonable proportions. The fires of the *autos-da-fé* thus served as a diversion for the people, and at the same time met administrative requirements. The ashes of the dead did not even occupy a little bit of ground, for the currents of the Tagus swept them away and deposited them over the lonely bottom of the sea.

There is a letter of João de Mello written to the king, without the year being given, but which coincides with this period.⁶² It is a description of an *auto-da-fé* written the same day and only a few hours after the feast of cannibals. As we take this horrible document in our hands, the crackling flames and the gasping of victims choking to death in clouds

⁶¹ *Op. cit.*, folio 302.

⁶² Drawer 2, M. 2, No. 40, in the National Archives. It is the original letter, and is dated Lisbon, October 14. The king, therefore, was away from the capital, probably at Evora. There is also an original letter of Dom Doão III dated at Lisbon, November 15, 1542, and addressed to the infante, Dom Henrique, giving him an account of an *auto-da-fé* that had just been held. ("Corpo Chronologico," Part 1 M. 73, No. 16, in the National Archives.) The letter of João de Mello mentions the execution of the wife and daughter of a merchant named Master Thomaz, which, from the Memorial of the New-Christians in the *Symmicta*, must have been prior to 1544. The letter of João de Mello is therefore probably of 1542, for, as he was complaining of the congestion of the prisons on October 14, we suppose that another *auto-da-fé* was held a month later to empty them, and that the king came to attend it. Furthermore, João de Mello refers in his letter to *autos-da-fé* of previous years in which he had taken part, and he had been transferred to the Inquisition at Lisbon only about the middle of 1539. In any case the letter cannot be later than 1543.

of smoke fairly hum in our ears; we almost smell the burning flesh and see the whitened bones. It is an illusion of the imagination. What is before us is a sheet of paper, yellow with age, covered with letters legibly and firmly written by a hand that did not tremble, by a hand that reveals a heart of bronze. Happy is our own century in which there are but few such hearts! The chief of the Inquisition at Lisbon begins by telling the king that the sky was splendid. That man dared to look at the sky! The previous days had been stormy, and João de Mello noted the fact, for the people would believe that the beauty of the day was a sign of celestial favor. The procession left the Misericórdia after six o'clock in the morning and moved toward the scaffold. The nobility encircled the clergy. The members of the tribunal of faith sat beside the judges of the ecclesiastical tribunal of the diocese. The condemned soon arrived. There were about a hundred of them, and the inquisitor observed that they formed a magnificent procession. They were conducted by the secular justices, and were accompanied by the clergy of the two parishes of Sanctiago and S. Martinho. As they approached the scaffold, the hymn *Veni creator Spiritus* was sung. A friar ascended the pulpit and gave an address. It must have been an admirable tissue of blasphemies. But the friar was brief, for the task laid out for that day was a long one. It began with the reading of the sentences; first came those condemned to exile and temporary imprisonment, then those condemned to life imprisonment, and finally those condemned to death. Of the last there were twenty. The victims, seven women and twelve men, were, one after another, bound to the fatal stake and burned alive. One woman alone was able to escape her horrible destiny, for, said the letter, she showed that she was truly repentant, by making a fuller confession of her sins. Besides, in the opinion of the inquisitor, that act of indulgence served to prove the consideration and gentleness of the tribunal. As for the repentance of the others, that was more doubtful. They had generally been turned over to the secular arm on account of their practicing Judaism in the prisons. This showed how necessary it was to be inflexible. The inquisitor referred to the fact that there were still many people kept in irons ready to be used for a similar spectacle, and that the crowding of the dungeons was excessive, and besides there were many defendants still to be tried. The king could draw his own inferences from these facts. If on that day he had not burned or had not dragged away to a living tomb, a fate perhaps more terrible, a larger number of individuals, it was because he did not like to be too severe. It is difficult to say whether hypocrisy or ferocity predominates in that letter. But at the end of it a cry of remorse escapes from the inquisitor. There was one thing that had made an impression on him. When parents were being separated

from their children, wives from their husbands, brothers from brothers, not a single tear was shed, not a single groan escaped them. The last parental blessing, the last kiss of husband and wife, the last fraternal embrace—these were all silent and tranquil. It was a tranquillity the executioner did not comprehend. João de Mello must have been surprised to see martyrs and heroes. In the court of Dom João III it was not easy to find them, and he was probably ignorant of the history of the primitive Christians. If he had not been ignorant of it, and if he had believed it to be true, he would not have been an inquisitor.⁶³

The memoirs of the New-Christians complete the picture of the letter addressed to Dom João III.⁶⁴ If they are to be believed, in the presence of that spectacle João de Mello shed tears. He thus put the finishing touches on the effect he hoped to produce by his sudden commiseration toward one of the female victims. The explanation of this unexpected pity varies somewhat in the Memorial of the persecuted. The confession of the woman who was saved in such an extraordinary manner did not refer to her own sins; it referred to those of other people. When taken back to prison she became the accuser of half the inhabitants of Aveiro. However, that unexpected redemption was nothing more than a scene prepared beforehand, a moral torture inflicted upon the unfortunate woman, but at the same time, as is evident from the letter, a bit of imposition upon the gross credulity of the people.

Upon what were the sentences based that condemned so many creatures to the atrocious torture of flames? On their having practiced Judaism in prison, so the inquisitor said. But what does common sense say? Is it possible that old men weak in mind and body, that mothers surrounded by their children, that timid maidens would venture to repeat in dungeons, under the keys of the inquisitors, in the midst of pitiless guards, the external acts of a religion which they did not have the strength to confess when questioned regarding their beliefs? What were these rites of Judaism that were practiced without temples, priests, formulas, or prayers? If we open the reports of the trials that remain to us from

⁶³ "Nothing surprises me so much as that our Lord gives so much patience to human weakness, so that children see their parents taken to be burned, women their husbands, and brothers one another, without hearing one of them speak or weep, or make any movement except to bid each other good-bye with their blessings, as if they were parting to meet again next day."—Letter of João de Mello, *loc. cit.* The inquisitor forgot what he had just said about doubting the contrition of the victims. Here he attributes their admirable firmness to divine grace. Pious cant sometimes leads even the most practiced into theological errors.

⁶⁴ The paragraph referring to an *auto-da-fé* found in the "*Excessus Inquisitorum in Civitate Ulissipon*" (*Symmicta Lusitana*, folios 366 v. and 367) evidently refers to October 14.

that bloodstained period, what do we find as a rule serving as a pretext for the ruin and extermination of so many families? The cleaning of lamps, wearing of clothes washed on Friday, abstaining from certain kinds of food, working on Sunday, ignoring or repeating badly this or that passage of the catechism, and other things of the kind; partly ridiculous accusations, and partly matters more or less reprehensible, but which could never be regarded as capital crimes, and which it would be absurd to regard as essentially inherent in the Jewish faith. How then are we to believe that these same persons who did not dare confess to the dogmas of Moses, who blasphemed him in proclaiming themselves Christians, should risk their lives solely in order to keep up ceremonies and acts purely accidental? But even admitting such an absurdity, how are we to explain the way these people died? If we did not know from the memoirs of the New-Christians that the sufferers died embracing the Crucifix and with all the evidences of their being Christians, the letter of João de Mello would be enough to prove it to us. It was therefore a mere conjecture on his part when he suspected that they had not ended their lives contrite and truly repentent. It is evident that the external acts of the persons put to death did not warrant his going further. If one of them had died appealing to the God of Moses, according to the ideas of those times, it would have justified the Inquisition and its ministers. Such a fact would not have been omitted from the letter of the inquisitor. But if they died with the outward appearances of Christians, to suppose that these unfortunate creatures, at the very hour of death, when only a few moments of life were left, and when about to appear before God, were lying to themselves and to the world, and were blaspheming the belief they held in their hearts and which was their only future hope, without a single interest in preserving a hypocritical mask of pretended Christianity, is an idea so extravagant that to refute it seriously would be an unfailing proof of madness.⁶⁵

After the preceding extract from the letter of João de Mello and the reflections it suggests, it would be useless to multiply examples, though they abound in the memoirs of the New-Christians, of the violence and atrocities practiced by the Inquisition of Lisbon beneath its apparent regularity. We shall call attention only to the fact that the man whose character and ideas are revealed in that document was the most influential of all the inquisitors, and that under the guise of justice the life and death of every person imprisoned depended purely and simply upon his

⁶⁵ This argument is repeated in more than one statement of the New-Christians with more or less clearness. As might have been expected, the defenders of the Inquisition, in their apologies, either concealed it, or made some pitiful reply to it; nothing else was possible.

caprice. To compel a person accused to confess himself a criminal, he had physical torture and moral compulsion at his disposal; he had the expedients of Paredes, as well as those inspired by his own ingenuity. But as soon as the defendant confessed, all methods of saving his life were cut off, except that of asking for pity, and at this juncture João de Mello lost nothing by showing pity. Pardon always meant retention more or less prolonged in prison, to allow time for repentance for sins which the accused himself recognized as existing. From this moment the person under penance was little more than a head of cattle, or a wild beast, that João de Mello, whenever he chose, could send to the slaughterhouse just to empty his stables. All that was needed was a trial for relapse, in which the accusers and the only witnesses either of the accusation or for the defense were of necessity the guards and servants about the prisons, and the servants and familiars of the inquisitor. The relapse was shown in some trivial act, such as putting on or not putting on clothing washed on this or that day. Once the criminal had confessed, he became a lapsed heretic, and for such persons the legal penalty was death by fire. In vain appeal was made from the tribunal to the infante inquisitor-general, or from him to the council. The infante rejected the appeal because his confidence in that man was boundless, and in the council, to which João de Mello also belonged, who would have the audacity to reprove an act of the man in whom all had confidence, the infante, and even the king himself?⁶⁶

Along with these facts, which still maintained the appearances of being in order, outwardly at least, were associated others frankly brutal, but which, in the eyes of the common people, were to be palliated as a result of religious zeal. As we have seen elsewhere, there was a great and constant stream of emigration, for the most part toward the Netherlands, which would be enough to explain the favor with which Charles V regarded the foolish efforts of his brother-in-law to destroy the richest and most industrious class of his own states. The commercial cities of Flanders offered the Portuguese New-Christians not only a refuge from intolerance, but an adequate field for their industrial activity. Many of them, with more foresight, or less kindly disposed toward their native land, had sought there in good time the security and peace their native country did not promise. The prosperity and wealth that brightened the days of their exile were an irresistible inducement to those who had thus far stoutly withstood the breaking of the tempest. But embarking at Lisbon for a Port of Flanders was not the same as going to Italy; there was no pretext for going to Rome to seek the favor or justice of the

⁶⁶ "*Excessus Inquisitorum Civitate Ulissipon,*" *passim, loc. cit., signanter, folios 300 et seq.*

apostolic see for a kinsman or a persecuted friend; and the urgency of business was not always or for everyone a plausible explanation. Relying upon the protection of the court, João de Mello felt therefore that he ought himself to put a stop to the abuse of emigration. Though the crowded condition of the prisons was an inconvenience, he had a more heroic recipe for remedying that evil than allowing some possible victims to escape unharmed. Accompanied by a colleague and surrounded by servants and bailiffs, he sometimes suddenly went aboard a ship about to unfurl its sails. He soon reappeared bringing with him some handcuffed New-Christians, persons who were not accused as yet, but who might be, and who, in order to make sure of them, were thrown into the dungeons of the Holy Office. The news of these arrests encouraged the people to similar acts against men whom they had been taught to detest. So it happened more than once that New-Christians, known as persons of fortune or for their qualifications, who dared to leave Lisbon and to walk out in the environs, were suddenly arrested by the country people and taken to the city under pretext that they intended to run away.⁶⁷

The picture we get, both from the Memorial and from the narratives and documents accompanying it, as well as from other sources of information relating to the same subject, is only a sketch drawn with a few light strokes. We omit many facts which perhaps would enliven the colors and render the outlines more distinct, but they would give too much detail. It is enough to say that besides showing the deliberate intention of exterminating the Hebrew race, they bring out the fact that these same guarantees established in the bull of May 23, 1536, and in other pontifical documents of permanent force in favor of those accused of Judaism, were daily set aside and treated with contempt, and that the briefs relating to individuals or to families, whose cases the pope had called before himself, or had assigned to special judges, were, as a rule, evaded, either through the formal opposition of the Inquisition, aided by the civil powers, or through the fear of the apostolic judges of incurring the ill will of the king or of his brothers, if they discharged the mission imposed upon them and vigorously upheld their own authority. Add to this the indifference of the nuncio who was entirely submissive to the will of the king, and one can imagine what a desperate strait the Portuguese Jews had now reached.

This state of affairs could not have been unknown at Rome, nor indeed was it possible to have any doubt about it in view of the mass of facts and proofs which the attorneys of the New-Christians presented in justification of their repeated complaints. Even supposing that the provisions of the bull of May 23, 1536, and the subsequent acts modifying

⁶⁷ *Ibid.*, folios 309-311.

or completing it, were perfectly just, not even this bull or the acts consecutive thereto had been respected. The steps taken by the pope to remedy this or that particular abuse concerning which he had learned were systematically treated with contempt. The responsibility for such grave evils rested entirely upon him, for, by instituting the Inquisition in Portugal, he had opened a wide field for the excesses of fanatical hate. Paul III confessed it more than once, and more than once he had invoked his responsibility in order to refuse the exaggerated demands of Dom João III in the matter. The excessive affability he had lately shown toward the wishes of the monarch, instead of teaching moderation to the inquisitors, had only served to intensify their evil passions. When there were no hidden motives to lead the Roman curia to change its system, matters had finally reached such a state that the apparent indifference and torpor in regard to the Inquisition in Portugal in which the pontiff seemed to be sunk had come to be highly scandalous.

But in spite of the activities of Balthasar de Faria in deceiving and corrupting, Paul III felt that it was time to intervene again in favor of the Portuguese Jews. The sight which Portugal then presented to the world made this decision more than plausible. In addition to considerations of morality, humanity, and justice, there were others of a material kind, equally if not more weighty in moving the Roman curia. In the first part of this chapter we have seen what they were: the renewed generosity of the New-Christians, and anger on account of the almost insulting reply of Dom João III to the proposal regarding the diocese of Vizeu, a disdain which showed his inextinguishable hatred of Dom Miguel da Silva, whom Cardinal Farnese continued to protect more or less secretly. At last the decision was made to intervene and to verify the facts, the dark history of which was daily repeated in Rome. But for this, in the subservient position in which he had been placed, the nuncio, the bishop of Bergamo, was not the right man, nor is it probable that the New-Christians would have accepted him as their defender. There was, therefore, selected to take his place Giovanni Ricci de Montepulciano, a priest of the apostolic chamber and majordomo of Cardinal Farnese. Both the cardinal and the pope concealed from Balthasar de Faria the real purposes of this appointment, and it seems that they succeeded in convincing him that, if it were possible, the new nuncio would be a still more manageable instrument in the hands of Dom João III than his predecessor had been.⁶⁸ The acquiescence of the king's agent was

⁶⁸ Letter of Balthasar de Faria to the king dated June 12, 1544. (Drawer 2, M, 5, No. 43, in the National Archives.) There are briefs of commendation in favor of the nuncio, Ricci, addressed to the infantes, Dom Luiz and Dom Henrique, dated June 27, 1544, in M. 36 of bulls No. 75 and M. 37, No. 53, in the National

an argument that was left in reserve for the inevitable future discussions.

But the court of Lisbon was not deceived by the information Balthasar gave it in this matter, perhaps because it had better reasons for believing that the replacement of the pontifical representative was not a matter of so much indifference as the attorney of the Inquisition at Rome had been led to believe. So it immediately made ready for the blow. Possibly this was the last fight it had to win, and one in which victory, when it had carried discouragement into the ranks of its adversaries, might settle once for all the fate, as yet somewhat doubtful, of the tribunal of faith.

Archives. A copy in Portuguese of the brief of the belief of Giovanni Ricci, bishop elect of Siponto, dated June 27, 1544, is in the collection of Sr. Moreira, Quad. 2, at the end.

CHAPTER IX

THE INQUISITION SUSPENDED; RENEWAL OF FRIENDLY RELATIONS: THE OPPOSITION OF THE CURIA IS OVERCOME; 1544 TO 1547

The news of the coming of Ricci, who had, as it seems, been appointed archbishop of Siponto about this time, was accompanied by the usual comments, comments which were unfortunately justified by the earlier procedure of the Roman curia. The government itself believed, or pretended to believe, regarding him, what had been openly circulated in regard to the bishop of Bergamo; that is, that he was paid for by the New-Christians.¹ The policy adopted from the outset was one of moderation and firmness. A letter was written to Dom Christovam de Castro, dean of the chapel of Dona Maria, the wife of Prince Dom Philippe of Spain, asking him to meet the archbishop of Siponto at Valladolid, and to say to him, on behalf of the king, that, learning that his mission was not simply to take the place of the nuncio, Lippomano, but also to interfere with the work of the tribunal of faith, His Highness gave him notice that it was not possible to consent to his coming to Portugal and asked him to discontinue his journey until the pontiff replied definitely to the considerations which were once more to be submitted to him in connection with this matter. There was no delay about the reply. Montepulciano protested that the information given the king was inexact; that the purpose of his mission, besides replacing Lippomano, was solely to look after the meeting of the future council; that indeed he came charged to make to him some communications regarding the cardinal of Vizeu and the Inquisition, but that he did not wish to intervene in the acts of the latter, and that, even before he left Rome, when asked by the agents of the New-Christians to use his authority in their favor he had formally refused to do so; that, nevertheless, in obedience to His Highness, he would remain in Spain until he was ordered to do otherwise.²

These declarations of Montepulciano were so conciliatory that the insistence of the court of Portugal upon the prohibition of his admission to the kingdom, when he declared that his course would not be different

¹ Instructions or Memoir in the Collection of S. Vicent, Vol. III, folios 140 *et seq.*

² *Ibid.*; Letters of the king to Dom Christovam in Drawer 13, M. 8, No. 1, and Drawer 2, M. 2, No. 57, in the National Archives.

from that of Lippomano, and when the latter, having been appointed assistant to the bishop of Verona, must necessarily leave the position in order to administer that diocese, would be evidence that a representative of the pontiff was not wanted at Lisbon, even though he might abstain from intervening in the affairs of the tribunal of faith, as the coadjutor of Veroná had done up to that time. A courier was therefore sent to Dom Christovam de Castro with a letter from the king to the new nuncio, in which he was told that, in view of his explanations, and supposing that he would follow the example of his predecessor, all obstacles to his admission to the kingdom were removed. That decision was likewise communicated to the assistant bishop of Verona.³

The inference from these facts and from what happened subsequently is that the pontifical legate and the king had each made his plans. The former expected to remove some of the obstacles to be encountered in the discharge of his mission by minimizing its importance at first, and giving the impression that all it meant was the substitution of one nuncio for another; the king, who probably had more exact information in regard to the mission of Ricci than that furnished him by Balthasar de Faria, evidently wanted to put the new nuncio in a position where either he could not carry it out at all, thus rendering his coming useless, or must remain in Spain, thus leaving the Inquisition even freer than ever, if such a thing were possible. The permission he gave Montepulciano, accompanied as it was with the condition that his conduct was to be regulated precisely by the former proceeding of the bishop of Bergamo, placed the new nuncio in a very perplexing position. He probably hoped that Dom João III would be content with his answer, which was certainly obsequious, but sufficiently vague so that later it might admit of those interpretations and expedients in which Roman diplomacy was so fertile.

These things took place during the last months of 1544. Though permission had been communicated to Montepulciano by Dom Christovam de Castro, he did not go on to the court of Portugal. The restrictions imposed upon him, and probably more specific orders from Rome,

³ *Ibid.* The instructions or Memoir of the Collection of S. Vicente do not seem altogether correct in the report regarding these matters. It says, that after ordering the admission of Ricci suspended, the king had written to the pope against the practice of sending nuncios to Portugal, and that Ricci replied in the meantime as stated in the text, in case he were admitted. Not a trace of such objections at Rome are found either in the original correspondence with Balthasar de Faria, or in the documents of the Torre do Tombo. On the contrary, it is inferred from the letter of the king to Balthasar de Faria, of December 26, 1545 (which should be 1544 on account of its being after December 25), that not a word had been written to the agent at Rome on such subject from the time of the arrival of Montepulciano up to this date. (Correspondence of Balthasar de Faria in the Ajuda Library, folio 84.)

obliged him to belie his own words. In such a strait he was compelled to take off the mask. Indeed the coadjutor of Verona received unexpectedly a courier sent by his future successor with important communications. On September 22 Paul III had dispatched a brief which Luigi Lippomano was to report to the prelates and inquisitors and to have posted on the doors of the cathedral of Lisbon and of all the cathedrals in the kingdom. The contents of the brief provided that, inasmuch as the archbishop-elect of Siponto had been sent to ascertain to what extent the loud complaints made at Rome against the Inquisition of Portugal were reasonable, no final sentence of the tribunal should be carried out prior to his arrival, and that, in trials pending or in new ones, the proceedings should all be conducted as usual save in regard to final judgment, until the pontiff was duly informed by the new nuncio in regard to the state of the question. This resolution was fortified with the penalties of excommunication and the interdict for anyone who, either directly or indirectly, should place an obstacle in the way of these apostolic mandates.⁴

It is to be supposed that the brief of September 22 was accompanied by private instructions for Luigi Lippomano. This man, hitherto so moderate, or rather so indifferent, to everything relating to the Inquisition, was suddenly seized with unexpected vigor. The court was then at Evora. The first act of the nuncio was to notify the chief inquisitor of the unexpected decisions of the pontiff, and he then ordered authentic copies of the brief to be posted on the doors of the cathedrals of Evora, Lisbon, and Coimbra. It was after the performance of these acts of authority that he reported to the king the resolutions of the pope, which, so far as he was concerned, had already been complied with.⁵

The moral effect of this audacious procedure must have been as profound as it was unexpected from the man who carried it out. The first impulse of Dom João III was to order Luigi Lippomano to leave the kingdom, and expressly to forbid the entrance of Ricci, notwithstanding his having already sent him permission to come. But when the temporary irritation had subsided, it was felt that it would be better to proceed with vigor but with prudence.⁶ The expulsion of Lippomano was postponed, and orders were sent to Dom Christovam de Castro to notify the archbishop of Siponto that the king found himself obliged to maintain,

⁴ Brief *Cum nuper dilectum* of September 22, 1544, in Drawer 2, M. 1, No. 45, in the National Archives.

⁵ Instructions or Memoir in the Collection of S. Vicente, *loc. cit.* Letter of Dom João III to B. de Faria of December 25, 1544, in the Correspondence of Balthasar de Faria, folio 76.

⁶ Instructions or Memoir of S. Vicente, *loc. cit.*

for the time being, his first decision regarding his entrance into the kingdom. After what had been done by the bishop of Verona it was quite impossible for him to be admitted without explanations from the pontiff, to whom an agent would be sent expressly charged to attend to that affair. Writing privately to the Emperor, Dom João III ordered Dom Christovam de Castro to explain the matter to various persons of the court of Spain, impressing upon them how just was the resentment that had been produced in Portugal by that unheard-of event.

In accordance with what had just been communicated to Montepulciano, it was decided to send to Rome an extraordinary agent charged to deliver to the pope a letter of the king conceived in energetic terms, in which should be vividly shown the profound displeasure produced in his mind, not only by the provisions of the brief of September 22, but also by the manner in which the nuncio, Lippomano, had acted in that connection. Simão de Veiga, in whom the king had great confidence, was chosen for that mission for which he was given the necessary instructions. These instructions contained the substance of the letter that had been sent to the pontiff, and the various results that it might produce were anticipated. If the pope should concede only a part of what the king there asked in satisfaction of his offenses, he was not to accept such a concession, but should say that he was not authorized to do so. He would communicate with Lisbon and await the final decision. But if the refusal were absolute, he or Balthasar de Faria, or both of them, were to inform those cardinals whom it seemed best to deal with concerning the question, announcing to them the intention of having the matter brought up in the consistory. Should the pope not be moved with this indirect threat, they were to make it to the pontiff himself, asking his leave to carry out the explicit orders they had received to have the letter of their sovereign read in the assembly of the cardinals, in case the reply to it were a complete refusal of justice. The king had reasons for believing that the pope would not allow matters to go so far; but if he did, the threat was to be carried out. This last step having been taken, Simão de Veiga was to ask for a certificate of having communicated that document to the college of the cardinals, and whether he received such a certificate or not, he was to leave Rome at once.⁷

But in separate instructions it was recommended that, in the audience with the pope, Balthasar de Faria was to pretend indiscretion and should offer to show the other instructions he had received, and that both he and Simão de Veiga were to speak of their contents with equal indiscretion to everybody in order that they might foresee the consequences of

⁷ Instruction or Memoir of S. Vicente, *loc. cit.*; Rough draft of the instructions to Simão da Veiga; Collection of Sr. Moreira, Quad. 1, *in princip.*

their explicit orders. Simão de Veiga was not to be satisfied with anything less than the revocation of the brief of September 22, the concession pure and simple of the Inquisition in accordance with common law, the reduction of the nunciature to the limits within which Lippomano had held it, and the absolute abstention of the pope from intervening in favor of Miguel da Silva. Such were the final requirements of the king, the two being ordered to have it generally understood that until they were complied with Montepulciano would never enter Portugal, and the co-adjutor of Verona would probably be expelled. However, and notwithstanding the first instructions, Simão de Veiga was in no case to leave Rome without writing to the king and receiving final communications from Portugal.⁸

The letter to the pope, dated January 13, was a long disquisition, recalling all the earlier facts regarding the conversion of the Hebrews, the establishment of the Inquisition, its conduct, and the attitude of the king, and the opposition that had been encountered. In all his long Iliad there had been on the part of the prince, of his brother Dom Henrique, and of the inquisitors, only zeal for religion, contempt for worldly advantages, abnegation, charity, gentleness, and sacrifice; on the part of Rome, nothing but indifference, instability, corruption of ministers, favor for those guilty of sacrilege, and forgetfulness of the interests of the faith; on the side of the converts were ingratitude, calumny, dissimulation, impiety, atrocious vengeance. If, in this terrible struggle that had been going on for twenty years, there were victims to be regretted, they belonged to the group that seized, tried, tortured, sentenced, buried in prisons for life, burned, denied Christian burial to the ashes of the dead, and did not even allow its persecuted victims the sad relief of expatriation. Almost up to the end, this remarkable document is a strange study of the resources that long practice affords hypocrisy; it is a complete collection of all the devout formulas, all the pious anger, all the insolent meekness, which a pretended zeal can weave into its language and with which it can conceal evil passions. It is only near the end that the author of that singular paper permits expressions of ill-suppressed irony to escape, and they all end in a growl like that of a tiger that licks its claws in contentment, satiated with blood and flesh. The king asked the pope if he thought the new nuncio would keep him better informed than the old one. It was supposed that Ricci came prejudiced in favor of the New-Christians, and this presumption took on the greater plausibility in Portugal on account of the delight with which those interested awaited his coming. And indeed it must be assumed that a man whom His

⁸ Appendix to the instructions of Simão da Veiga; Collection of Sr. Moreira, Quad. 7, *in princip.*

Holiness held in such high esteem was regarded as above corruption; but would this man who now proposed to study the question be more worthy of confidence than the king himself, who had studied it for so many years? If Montepulciano was coming because the present nuncio and his predecessors had not kept the court of Rome properly informed, though it had entire confidence in them, that showed the uselessness of having nuncios in Portugal. In such case the pope ought to agree to the doing away with the nunciature, as he had so often been requested to do. "Meanwhile the scandal that was feared," the letter added, "against the holy Inquisition seems to have been obviated by the judgment of God. The brief of September 22, *negotiated* partly for the purpose of saving the persons condemned at Lisbon, *had arrived too late* for the purpose." It is seen that the king and the Inquisition, disturbed about the mission of Montepulciano, had thoughtfully reduced to ashes all of the unfortunate creatures that he might have saved. And the king blasphemously made Providence a defendant of his own atrocity. Later, after thinking over the inconveniences of the entry of the nuncio and of the enforcement of the last brief, he asked the pope to revoke the brief, and on the ground of these inconveniences he justified the decision he had reached regarding the apostolic delegate. He asked, finally, as a reparation for offenses so often repeated, the definitive establishment of the Inquisition under the conditions of existence that it had everywhere else, so that it could proceed with full liberty, and he ended, after a thousand protests of filial affection for the supreme pastor and of obedience to the apostolic mandates, with some rather explicit threats: "If Your Holiness does not make provision in this case as you should and as I hope, I cannot fail to provide the remedy, trusting not only that Your Holiness will hold me guiltless of what may follow, but also that the community of the faithful and the Christian princes may recognize the fact that it was not I who was the cause of any ills that may arise."⁹

At the same time a letter was written to Balthasar de Faria, with whom, it seems, the king was annoyed. Information had been received in regard to the attorney of the Inquisition that was by no means favorable to him. It was said that he had not only assented to the coming of Montepulciano, but even to the dispatch of the brief of September 22, a fact which is really inexplicable. In writing to his agent the king expressed doubts about such reports, but the reasons he gave for his doubts amounted to severe complaints, in case the reports were true. The fact was that Cardinal Farnese, in sending that brief to Monte-

⁹ Draft of the letter of Dom João III to the pope, of January 13, 1545, in the Collection of Sr. Moreira, Quad. 1, at the end. The draft has no date, but that is inferred from the reply of Paul III to be cited further on.

pulciano, assured him that it was sent with the assent of the Portuguese agent. The king hoped he could explain such a singular mystery.¹⁰

The unexpected indifference of Balthazar de Faria, the cause of which the corruption of the age enables us to surmise, and the death of Cardinal Santiquatro, the man who for many years had most loyally served the king of Portugal, explain in part the good results lately obtained by the New-Christians. Santiquatro had died in October, 1544, and the protectorate of Portugal was still vacant. It was a position that many persons aspired to, not only on account of the importance it gave in the curia to be protector of this or that Catholic power, but also on account of the material advantages to be derived therefrom.¹¹ This leaving in suspense the selection of a successor was a powerful means of winning favor at a time when favor was so necessary, in view of the fact that, as shown by instructions given to Simão da Veiga, the matter of the Inquisition might be carried before the consistory. In order still further to predispose them, a kind of circular letter was written to ten of the leading cardinals, and three additional copies were given to Simão da Veiga unaddressed, so that they could be directed to such other members of the sacred college as it might be advisable to please.¹² But a special letter was sent Cardinal Farnese, in which the king manifested the profound displeasure caused him by the brief of September 22, and by the acts of the bishop-elect of Verona. The dispatch of that brief grieved him the more for the reason that it was certain that it must have passed through the hands of the cardinal, as his grandfather's minister, and that the expressions of good will received from him had led him to believe that he never would have consented to resolutions which, while a disservice to God, could not fail to be a most grave offense to him, the king.¹³

In view of the forces that were preparing for the struggle, the preponderance lately acquired by the New-Christians in the curia, and also of the demonstrations of firmness given the pope by the civil powers,

¹⁰ Letter of the king to B. de Faria of January 26, 1545, in the Correspondence of B. de Faria, folio 84.

¹¹ There are still in existence two drafts of the preceding letter. (Collection of Sr. Moreira, Quad. 7, *in medio*.) In the one that seems to be the first there is a paragraph referring to the death of Santiquatro and to proposals made by Faria regarding his successor. The king told him to say that he had not replied in regard to that matter because he was seeking to ascertain who ought to be chosen. This paragraph was suppressed in the other draft, and in the copy sent, possibly because the matter was reserved for a special letter.

¹² Draft of this kind of circular in the Collection of Sr. Moreira, Quad. 7, *in medio*. In a note to the draft it is said that ten were addressed and three were in blank.

¹³ Draft of the letter to Cardinal Farnese, *ibid*.

it was almost inevitable that the latter and his ministers should begin to waver. The irritation of the court of Rome was taking on a rather serious character. The forbidding of the entrance of the new nuncio, accompanied by the threat to expel the bishop-elect of Verona from Lisbon, was a step that it was not politic to permit in the history of the diplomatic relations between the two courts. It is certain, however, that, in spite of all the elements that had combined to assure a happy issue to the negotiation, it was felt at Rome that, in view of the haughtiness with which the subject had been treated and of the very harsh language of the letter addressed to the pope by Dom João III, they ought to maintain, at least in appearances, their own dignity by ostensibly refusing to yield. As we shall see, negotiations were being actively carried on by Simão da Veiga and by Balthasar de Faria; but, though everything led them to expect a happy outcome, the pontiff could not fail to make a public manifestation of his displeasure. On the sixteenth of the month Paul III dispatched a brief in which he replied in a tone of offended dignity to the more than severe letter of the king of Portugal. He observed that the defamatory suspicions that had been cast upon the ministers and officials of the curia in the matter of the Portuguese Jews and of the Inquisition might be retorted with equal reason against the ministers and officials of the crown, for everywhere public functions bring upon those who exercise them the risk of faultfinding. The inhibitory brief providing a stay of execution of sentences for religious crimes until the arrival of Ricci could not explain the treatment of the nuncio, for that treatment had been prior to the brief itself. The brief was merely an act of equity and justice. The complaints made at Rome against the Inquisition in Portugal were terrible, and the agents of the king themselves were agreed that the facts ought to be verified by the intervention of the new nuncio, and that it should thus be ascertained which side was right. The instructions given Montepulciano were limited to such examination; but after his departure new and louder outcries had arisen regarding the dreadful scenes being enacted in Portugal, where many New-Christians had already been committed to the flames, and many more were awaiting a similar fate at the bottoms of dungeons. He, the pope, had then felt that information gained by Montepulciano would be useless if all he could do was to get information about men who had already been reduced to ashes. To put a stop to such horrors was not only his duty as the supreme pastor, but it was his duty simply as a Christian. Suspending the execution of sentences did not favor impunity; for the accused persons were still in the power of the inquisitors. If they were guilty, they could be punished later; if they were innocent, they could be saved. If such a just procedure was to be regarded as only

partial, there was perhaps a greater desire to cover up the errors of the judges than to impose proper punishment upon the guilty. The Inquisition was a body delegated by the apostolic see, and its object was entirely spiritual; no one could therefore dispute the pope's right to examine into the acts of the inquisitors and to hear the complaints of the persecuted. Instead of offending and speaking ill of the Holy See in the person of the nuncio, the king should have been grateful for the course taken if his intentions were sincere and pure. For God will some day search at the hands of both king and pope the blood of so many victims, deaths that might have been avoided. In regard to the question of the bishop of Vizeu, Paul III expressed himself with no less energy, though the doctrines he laid down and the facts he alleged were far from being as well-founded as those he appealed to in regard to the New-Christians. Setting aside the phases through which this business had passed, the pontiff simply reminded the king that he should have restored to Dom Miguel da Silva the revenues and benefits of which he had deprived him, or if he were guilty, he should have delivered him to the nuncio or to some other delegate of the Holy See. If the proofs of his crimes had been presented to him, the pope would not have allowed him to escape severe punishment. If he had not punished him, it was because he did not know what his misdeeds were. But even on the theory of the bishop's being guilty, it was for the apostolic see to dispose of the ecclesiastical revenues of the bishopric. He ended by regretting that upon this subject the king should show himself to be so different, not only from his ancestors, but from what he used to be himself, and he gave him to understand that if the king of Portugal did not come to better terms he would employ the most heroic remedies.¹⁴

Though this sharp reply had been sent to Montepulciano for presentation to Dom João III when he reached Portugal, negotiations were continued nevertheless. An agreement was even reached, by slight concessions on both sides. Cardinal Santiflore, grandson of the pope, wrote a letter to the king in which he stated that the pontiff had finally decided to make the concessions regarding the Inquisition that had been asked by Simão da Veiga, in accordance with his instructions; but that to this end it was indispensable that the nuncio, Montepulciano, be given free access to Portugal. This letter was accompanied by others from Simão da Veiga and from Ignatius Loyola, the celebrated founder of the Society of Jesus, who was especially liked by Dom João III, in which he was assured that, if that condition were granted, they might reach a satisfactory

¹⁴ Brief *Attulit ad nos*, of July 16, 1542, in the "Codex Diplomatico," Vol. III (*Symmicta*; 46 p. 563). Translated into Portuguese in the Collection of Sr. Moreira, Quad. 30, at the end.

settlement of the difficulties once more put in the way of the final establishment of the Inquisition.¹⁵

There is evident contradiction between the decided and haughty language of the brief of June 26 and this easy arrival at an agreement, if we presuppose the admission of the nuncio, Ricci. If the action of the pope depended upon information from him, how could he promise to make a concession which, in view of his own words, would be a flagrant injustice if the information were unfavorable to the inquisitors? How was he to defend himself when, in the words of the brief, God sought at his hand the blood of so many victims? The efforts of Ignatius Loyola, the more or less benevolent attitude of the cardinals to whom letters had been sent, all the influences, in short, which had been set at work to counteract in the mind of the pontiff the effects of the bold resistance of the king, effects which it was pretended still continued when the brief of June 22 was dispatched, are not enough to explain the intention manifested of consenting to such great concessions. Other circumstances, however, combine to warrant the conjecture that more efficacious means had been employed to facilitate the success of Simão da Veiga in the business with which he had been entrusted. The facts cited in the preceding chapters surely lead the reader to anticipate at once the nature of the other means resorted to.

In the course of this narrative we have seen how much Cardinal Farnese, the principal minister of his grandfather, Paul III, had favored Dom Miguel da Silva, and the close relations which the identity of hatred had brought about between him and the New-Christians. The bishop of Vizeu had always been more or less openly an obstacle in all negotiations on that subject. As we have seen, the king had already complained of Farnese, though indirectly, on account of the brief of suspension that had raised such a storm, and which could not have been dispatched without his assent. The protection given the Portuguese prelate was another and no less powerful cause of irritation. So the relations between the court of Lisbon and the pope's prime minister could not have been of the most friendly kind. The appearance of Cardinal Santafigore in the negotiation, without the slightest evidence of his cousin's¹⁶ intervention, is a very clear indication of this mutual displeasure. Independent of any private incentives Farnese might have for favoring the claims of the Portuguese Hebrews, there was one rather serious cause for the cooling

¹⁵ We have not been able to find either the letter of Santafigore or that of Simão da Veiga, or Loyola's. What we are narrating is, therefore, based upon correspondence that we shall cite further on.

¹⁶ Santafigore was the grandson of Paul III by his daughter Constanza, and Farnese was his grandson by his son Pier Luigi, Duke of Parma.

of his benevolent sentiments toward Dom João III. The long expectation of the large pension he had sought so many years before had at last been fulfilled in 1544, when the demands and efforts of the atrociously persecuted New-Christians began to awaken Rome from her indifference. The opportuneness of satisfying the cardinal's ambition had been recognized, and a pension of three thousand two hundred *cruzados* a year had been imposed, not on property of the monasteries, as hitherto had been done, but on the securest and most available revenues of the Braga and Coimbra dioceses. But the concession had remained, so to speak, in the realm of abstractions, and up to the first part of 1545 Farnese had not received the smallest fraction of the amount to which he had been assured he was entitled since the end of 1543. The cardinal could not have been satisfied, a circumstance which perhaps partly explains the revival of the compassion of the court of Rome for the Portuguese Jews. But when the affairs of the Inquisition had reached a point where the ill will of the pope's prime minister might upset all the efforts made in its behalf, João III remembered that debt. Not only were the revenues from the two dioceses necessary to redeem the obligation reserved, but the money was even sent to Rome at once. And the generosity of the king did not stop there; orders were given to pay three years more, the current year and two in advance. The glitter of so much gold must have illuminated the mind of the Roman prelate, and swept from his conscience more than one scruple in regard to the justice and impartiality of the members of the tribunal of faith.¹⁷

The death of Cardinal Santiquatro was likewise skilfully turned to account. There was to be obtained the confirmation of prelates for old vacant sees and newly erected bishoprics, with which efforts were being made to satisfy the vanity or the cupidity of those important individuals in the monkish court of Dom João III whom it had not been possible to accommodate with the offices of reformers and provincials of the monastic orders, or whose ambitions led them to look higher. There were also provisions relating to certain wealthy monasteries for which the approval of Rome had to be obtained. These were affairs that had to go before the consistory, and their presentation in the pontifical council was not a thing that was done for nothing. All such proposals rested with the cardinal protectors of the different nations to which the business related, and constituted one of the most solid incomes of the protectorates.

¹⁷ See and compare the three original letters of Dom João III to Balthasar de Faria, of July 13, 1544, of February 16, 1545, and of March 5 of the same year, in the Correspondence of B. de Faria, folios 62, 98, 110. The thirteen thousand *cruzados* ordered sent Farnese would today be worth more than sixty thousand, basing the value of money at that period upon the price of wheat.

It was for this reason that Portugal became extremely important about the middle of the sixteenth century. The necessity of referring matters to Rome increased daily in a court where clerical and monastic questions and intrigues required the most delicate treatment. Instead, therefore, of awaiting the solicitations, either direct or indirect, of those who wished to succeed Santiquatro, Dom João III directed his agent to ask the pope himself to take charge of the proposals, drawing therefor the usual emoluments, which in this case would be quite large. This was a delicate way of smoothing away the asperities of the aged Paul III. Past facts led the king to believe that the offer would not be badly received, and at the same time he hoped that the expedient might be useful, not only to the business in hand, but even in the solution of other matters still pending in the curia.¹⁸

These ignoble transactions preceded the dispatch of the brief of June 16. Was that brief nothing more than an empty display, a barren demonstration meant to feed the hopes of the New-Christians for yet a little longer? We do not wish to say so. Apparently this energetic reply to the violent letter of the king ought to have brought about a complete break between the two courts; but it may possibly have been merely a veil thrown over the preliminaries of a final agreement that was assured by the letters from Rome, in case the nuncio, Montepulciano, were admitted. This seems to be the more probable explanation.

Ignoring the evidence of the brief, and in view of the very explicit declaration of Santafiore and of what his own agents had stated, Dom João III felt that he would better yield in the question of the nuncio. Dom Christovam de Castro was therefore told to go to Valladolid in the vicinity of which place the bishop of Siponto was staying, and to give him permission to enter Portugal on condition that he was to exercise the functions of nuncio without going beyond the limits imposed upon the bishop-elect of Verona.¹⁹ This decision was communicated to Rome, to Santafiore,²⁰ to Ignatius Loyola, as well as to Simão da Veiga and Balthasar de Faria. But in these communications it was strongly insisted

¹⁸ "And in these fees a good sum of money can be gained, it seems the holy father will be glad to take charge of the said business as has already been done before, and it will be well for these same affairs and for others of my service for him to know that I enjoy pleasing him in whatever I well can."—Letter of the king to Balthasar de Faria, March 4, 1545. Original Correspondence of B. de Faria, folio 105.

¹⁹ Letter of the king to Dom Christovam de Castro, in Drawer 2, M. 2, No. 37.

²⁰ Draft of the royal letter to Cardinal Santafiore, of August 1545, in the Collection of Sr. Moreira, Quad. 3. From this document it is seen that the pope had charged his grandson with the proposing in the consistory of the matters the king had placed in his hands. In this way appearances were better preserved, and the money remained in the family.

upon that, inasmuch as the king had unhesitatingly yielded to the manifest desires of the pope, he should fulfil the promises solemnly made by the cardinal, his grandson, without delay.²¹ However, Balthasar de Faria was forewarned that, in case a conclusion were not reached in that business at once, he was to make every effort to prevent the Portuguese Inquisition from being taken up in the council, which after so many delays and hindrances was about to meet at last, because the whole desire of the king was that the matter should be settled solely between him and the pope. The same recommendation was made about the dispute pending in regard to Cardinal da Silva, to settle which he had proposed to the pope to have the negotiations referred to the nuncio and to the celebrated Friar João Soares, now bishop of Coimbra, a proposal the king was ready to accept, provided the council did not take cognizance of this deplorable quarrel.²²

But an extraordinary circumstance arose just here, not to prevent, but to delay the settlement of these negotiations. That was the absence of the principal negotiator, through whose capacity and energy matters had reached their present stage. Small crops threatened Portugal with one of the famines, not rare in the sixteenth century, which were accompanied by other scourges, and for which the government and the people knew how to find only very imperfect remedies. The most obvious one was to send to Sicily, at that time regarded as the granary of Europe, and buy grain on the king's account. It was found that the best man to obtain good and prompt results under the circumstances was Simão da Veiga. Orders were sent directing him to leave for Palermo.²³ There remained only Balthasar de Faria, whose influence and importance could not help suffering by the fact that he had been given a colleague with more authority than he himself had. And in fact, as we shall see, negotiations, being interrupted by the departure of Simão da Veiga, dragged along through obscure phases until the first months of the year 1546.

Meanwhile Ricci de Montepulciano had entered Portugal early in September, 1545, and presented himself at the court of Dom João III. Received with great distinction, he was reminded of the condition that he was not to exercise powers other than those of simple nuncio, accepting

²¹ Letter of the king to B. de Faria and to Simão da Veiga, of August 13, 1545, in the Collection of Sr. Moreira, Quad. 2; Draft of the letter to Master Ignatius, *ibid.*, Quad. 3; Letter of the king to Simão da Veiga and to Balthasar de Faria, of August 10, 1545, *ibid.*

²² Letter of the king to B. de Faria of August 4, 1545, in the Original Correspondence of B. de Faria, folio 122.

²³ The correspondence regarding the purchase of cereals in Sicily in 1545 is mostly in the Collection of Sr. Moreira, Quad. 2.

as his guide the behavior of his predecessor, as the only means of preserving peace and harmony. But the archbishop of Siponto had other intentions. Having placed in the hands of the king the brief of June 22, upon the first visits he made to the infante, Dom Henrique, he presented him a copy of the complaints made by the New-Christians; the infante promised to give him explanations of these complaints, but as the reply might be delayed, he wrote to Rome, as it seems, rather unfavorably about the Inquisition. At the same time he offered the king a memorial in which the grievances of the people of the *nation* were set forth at some length, and when he talked to the prelates of the kingdom, he gave them copies of the memorial, inveighing against the tribunal of faith. It was soon evident that the Inquisition was going to find a resolute adversary in the new nuncio.²⁴

The policy of the Roman curia thus appeared with all its habitual shrewdness. While the negotiations that were to end in the complete ruin of the Portuguese Jews were proceeding in the dark to their final catastrophe, the representatives of the pope openly displayed in Portugal an exaggerated kindness toward the persecuted and kept alive in them their hopes, to which they naturally clung. We have already seen the price Dom João III paid for the diplomatic advantages he had gained at Rome; we can suspect the price paid by the New-Christians in Portugal for the protection of the nuncio, even without believing that he had been entirely sold to the New-Christians as the friends of the Inquisition were claiming. The most serious thing in the aggressions of Montepulciano was that they involved him in a personal affront to the infante; but at the same time the pope undertook to remedy this disadvantage. In spite of the cutting excuses with which the king had previously rejected the cardinal's cap for his brother, the pope raised Dom Henrique to the dignity of a cardinal. In the brief in which he communicated to the monarch the election of the infante, Paul III alluded obscurely to the repulse that had delayed that election, and overflowed in praise of the gifts of intellect and heart that shone in the newly elect, eulogies in which we may doubt somewhat the sincerity of the pope, but which evidently must have contributed toward allaying the irritation caused by the hostile action of the archbishop of Siponto.²⁵

The latter meanwhile was following the course probably laid down for him in his secret instructions. The king, who at first had refused

²⁴ Instruction or Memoir in the Collection of S. Vicente, Vol. III, folios 142 *et seq.*; Letter of the king to S. da Veiga and to: B. de Faria, September 1545, Collection of Sr. Moreira, Quad. 4.

²⁵ Brief *Quod semper*, of December 16, 1545, in the *Symmicta Lusitana*, Vol. XLVI ("Codex Diplomatico," 3^o), p. 595.

to accept any statement of the grievances of his Jewish subjects, had finally taken it from the hands of the nuncio, and the inquisitors to whom it had been communicated had replied to it at length.²⁶ On the one hand, this reply was the eternal repetition of the facts with which the reader is fully acquainted; on the other were the same denials, or the same apologies, repeated more than once by the chiefs of the tribunal of faith. Having gone beyond the limitations under which he had entered the kingdom, the nuncio showed that he meant to go still further, and meanwhile he stated to certain persons that if the king would agree to a general pardon, the pope would also agree to the establishment of the Inquisition for future crimes in the same way and with the same final organization as that existing in Spain. The inference was that the only point about which Ricci was concerned was to save the defendants, whether being tried or already sentenced, without concerning himself, once this were agreed to, as to whether the Inquisition persecuted or did not persecute the New-Christians. This was enough to warrant the suspicion that he was guided by motives of interest rather than by those of conscience. But what rendered him doubly suspected was that he talked so much about his honor and his incorruptibility in the discharge of his duties at Rome.²⁷

It is remarkable that, after the restrictions that had been placed upon him when he came into the kingdom, acts were tolerated that were in direct violation of those very restrictions. The debates between him and the inquisitors in regard to the conduct of the tribunal of faith amounted to a tacit recognition of his right to intervene, and it was the exercise of this very right that had been absolutely denied him. How is such a strange contradiction to be explained? The most plausible explanation is the effect that the delayed reading of the brief of June 22 must have produced on the mind of the monarch. The Roman chancellery seems to have kept it a complete secret. At least we have not been able to find a sign of either Dom João III or his agents in Rome having had an

²⁶ The information or report in favor of the New-Christians is in Drawer 2, M. 2, No. 26, and the reply of the inquisitors (which has the erroneous date of 1535 on the outside) is in the same Drawer and Package No. 31, in the National Archives.

²⁷ "That he had occupied positions (said the nuncio of himself) in which, if he had wished, he might have had much money, but as he always aimed to do what he should, and what was becoming to his honor and his conscience, money had never moved him to do it or to fail to do it. It seems to me that he began here to see whether he could remove the impression to be drawn from his coming here. . . . So it seems that his whole purpose is to attend to his affairs, and beyond that it is all the same to him whether the Inquisition be open or closed."—Letter of the bishop of Angra to the king, November 7, 1545, in Drawer 2, M. 2, No. 48, in the National Archives.

earlier notice of that energetic reply, which had been sent to Montepulciano, and which he had presented only on the occasion of his entrance. To reply to the remarks of the pope was not easy, for they must have produced a profound impression. In the part of that document relating to the New-Christians his reason and his firmness stood forth clearly. Even if it be supposed that the conduct of the curia had at bottom motives more or less ignoble, it must be confessed that the brief of June 22 was, both in substance and form, worthy of the head of the church. In attributing it to the inspiration of Cardinal da Silva, Dom João III, without wishing to do so and even without knowing it, paid honor to the exiled prelate whom he hated so cordially.²⁸ The reasons adduced by the pope mollified the disposition seriously to oppose the inquiries the nuncio had been sent to make, and the necessity of compromising on this point must have been evident. Still other reasons naturally suggested themselves. For one thing it was not desirable to arouse new conflicts that might so complicate the matter that it would have to be taken before the council that was soon to meet. For that, as we have seen, was one of the things the king most feared. On the other hand, even if the question should not come to such a pass, it was necessary to avoid everything that might prevent or retard the negotiations pending in the curia.

Nevertheless the brief of June 22 had to be answered; for silence would imply the acceptance of the doctrines it contained; but it seems that, in view of the foregoing considerations, it was not thought best to reply in writing. Instructions were sent to the agents in Rome in which the terms were specified in which they were to speak to the pope on that delicate subject. There was very little in the instructions about the New-Christians. The king limited himself to the repeated assurances of the sincerity of his intentions as shown by the losses he suffered from the persecution of the Jews; an absurd defense at that time as at all others, for there are abundant examples of people preferring to the highest interests the satisfaction of their own passions and caprices. This is on the supposition that in this course of action there may not have been the idea that some day confiscations might be established definitely, but without sacrificing the then existing interests of the country to the designs of cupidity.

What the instructions enlarged upon was the question of the bishop of Vizeu. Surprise was expressed, and with reason, that the pope should

²⁸ "The style of which (that of the brief of June 22) seems to be more that of the bishop of Vizeu than of any other official, or at least that he had to do with the making of it."—Draft of letters of the king to Simão da Veiga and to B. da Faria, September, 1545, in the Collection of Sr. Moreira, Quad. 4.

be ignorant of the complaints made against him, whether justly or unjustly. Past deeds, and the efforts so often made to have that great criminal punished, were called to mind. It was then recommended to the agents that they seriously blame Cardinal Farnese for his intimacy with Dom Miguel da Silva, and that they ask him to try not to scandalize the king to such an extent that disagreeable consequences might result therefrom. Though the phrases of the instructions were rather obscure and tortuous, they involved threats more or less concealed. Balthasar de Faria was especially reminded that if the pope, or anyone else, should speak of the question of the revenues of the bishopric of Vizeu, he was to declare categorically that he would never consent, either directly or indirectly, that they should reach the hands of the bishop, stating that they would be scrupulously deposited, to be used in the most convenient way in the service of God. Finally, anticipating the possibility that Simão da Veiga might already have gone to Sicily, Balthasar de Faria was authorized to carry out those instructions alone.²⁹

As we have said, matters relating to the tribunal of faith moved extremely slowly at Rome, after the departure of the extraordinary agent for Palermo. This was due principally to a Franciscan friar, confessor of the pope, whom the Portuguese Jaws had succeeded in converting into their defender.³⁰ But the promise received from Lisbon to allow the admission of Montepulciano laid upon the Roman curia the necessity of complying on its side with the promise it had made of conceding the definitive bull of the Inquisition in the form in which it had been asked, provided the nuncio were admitted. And in reality Simão da Veiga had been assured before he left Rome that this matter would be attended to without delay; but obstructions began to arise at once. There was the greatest uncertainty regarding the king's compliance with his promises. Was Montepulciano really in Portugal? That was unknown, and it remained so for a long time, for his arrival there was ascertained only in September, 1545. After this fact had at last been ascertained a new difficulty arose. In order to draw up the anticipated bull that was to take the place of that of 1536, the provisions of which were to cease in 1546, certain information was needed from Ricci, for provisions had to be made covering all questions involved. Balthasar de Faria urged the matter upon Cardinals de Crescentiis, Ardinghelo, and Sfrondato, who were especially charged with it; they showed him that they had the best

²⁹ *Op. cit.* The letter sent to B. de Faria authorizing him to open the letters addressed to him and to his colleague and to carry out the orders of the king is also in the Original Correspondence of B. de Faria, folio 142. It is dated September 28.

³⁰ Letter of Simão de Veiga to the king from Rome, April 28, 1546, in Drawer 13, M. 8, No. 6, Document 5, in the National Archives.

of intentions; but they reached no conclusions whatever.³¹ On the other hand, the king's agent was compelled to transfer his attention from that subject to the question of the bishop of Vizeu. Dom João III had accepted the pope's proposal to have that interminable contest submitted to two referees, the new nuncio and Friar João Soares, bishop of Coimbra; but in spite of this the contest of intrigues regarding it went on in the pontifical court with the same activity.³² So after a few months, when Simão da Veiga returned to Rome (February, 1546), he found it all on the point of being concluded, as Santafiore and the pope himself stated, and even as Balthasar de Faria believed, but in reality in the same state as he had left it. The lack of letters from Ricci, it was said, was the only obstacle to the preparation of the new bull; but this was insuperable. In vain the active agent insisted to the pope that his promises were being evaded under this pretext; in vain he represented to Farnese the dissatisfaction of the king, and he reminded Santafiore of what he had written to Portugal with his own hand. Nothing definite came of it except fine words, and the discovery of his secret informers that the confessor of the pope was acting as the attorney for the New-Christians.³³

Whether there was good faith in the importance attributed to the communications from the archbishop of Siponto we do not know. What we do know is that, in view of what was going on in Portugal, the opinions of Ricci and the facts reported by him could not have contributed very much toward the final outcome of the contest. The representative of the pontiff, while circulating the idea that it would be well to admit a new general pardon for crimes of heresy, urged that they should allow him to examine the trials, both the ones in which sentences had been passed and those pending. The inquisitors objected, and the king positively refused on the pretext or for the reason that this delayed examination would perpetuate the provisional position of affairs. At length Ricci agreed to limit his investigations to five cases which he specified. The respective records of trials were reviewed at repeated conferences which were attended, on one side by the infante and various members of the tribunal, and on the other by the nuncio and his followers. If we may believe the records favorable to the Inquisition, the archbishop

³¹ See the private letter of B. de Faria to Simão da Veiga, written from Rome and addressed to Palermo, October 30, 1545, in the Collection of Sr. Moreira, Quad. 2, at the end. This letter is interesting on account of its containing evidences that Michael Angelo was then working upon a picture for Portugal, and that, as is generally the case with artists, he was not altogether punctual. "Michael Angelo lies as much as possible in the matter of 'Our Lady of Pity.' It seems to me that he wants money. I shall settle with him."

³² *Ibid.*

³³ Letter of Simão da Veiga to the king April 28, 1546, *loc. cit.*

of Siponto declared to the king that he was satisfied with the examination, and that he found the records of the trials to be in order; but these same memoirs tell us that he afterward asked for a second examination of them; that it was in reality granted, and that, notwithstanding, he had fulminated excommunications against the notaries of the tribunal of faith for not having delivered the records to him.³⁴ This contradictory and puerile story, which, if it were true, would mean that Ricci was out of his wits, bears out what is to be inferred from the representations of the New-Christians substantiated in the preceding chapter, and of which even down to this day, we are still finding evidences in the archives of the Inquisition; that is, that, wherever and whenever it seemed desirable, the reports of the suits were mutilated or important parts of them were suppressed.³⁵ In our opinion this is what it is sought to conceal by this story, so unworthy of credence. It is probable that, upon being well informed by the New-Christians, the nuncio had asked for the reports of five of the worst of the trials, and that the inquisitors had given him the reports in so defective a form that an examination of them could not prove anything against themselves. Upon his requesting them for another examination, he must have been notified by those interested of the documents or reports lacking. This seems to us the more probable reason for the excommunications.

But whatever the reason for that procedure may have been, it is easy to imagine the anger of Dom João III and of the inquisitors at the sight of such audacity. If from the past one could anticipate the future, vigorous action on the part of the king was inevitable. Ricci, of his own accord, had made a more offensive attack than that of the brief of suspension of September 22, and it was necessary that the retaliation should be violent. However, the monarch confined himself to reprehending the nuncio, who, it was said, replied rather unsatisfactorily, and to writing to Rome the ridiculous story about the five trials that had been spread in Portugal, ending with the repetition of the requests in favor of the definitive establishment of the tribunal of faith and of full liberty for the inquisitors. At the same time it was asked that the conceding of special judges and the intervention of the nuncios in the affairs of the Inquisition should be done away with at once. These requests were padded with the arguments that had been repeated for the past ten years, and with all the pious phrases and touching lamentations with which it

³⁴ Instruction or Memoir in the Collection of S. Vicente, Vol. III, folio 144.

³⁵ In the immense archives of the Inquisition brought together in the Torre do Tombo the reports of trials are divided into two, three, or four parts, each one stitched by itself, with different enumeration, which at times makes difficult the bringing together of the various parts.

was the custom to adorn official communications addressed to the Roman curia in regard to that subject.³⁶ It was a singular excess of patience which suggests that the conduct of the archbishop of Siponto had not been as unreasonable as it was intended to make it appear.

On the very day that instructions were given to Balthasar de Faria on this subject, others were sent him regarding the question of the bishop of Vizeu which are more than enough to explain the king's unexpected moderation. After all these years of struggle the latter had finally grasped what more than one Catholic state, even today, seems to ignore or to forget. Strong and honest governments that can maintain the dignity of their country and its law can easily restrain by their energy the ever abusive tendencies of the Roman curia: but weak governments have no choice but to satisfy its cupidity by the use of corruption, or else to bow the head to its pretensions. Dom João preferred corruption. He knew by a long experience what Rome was, and that he could frankly, we may almost say, brutally bribe it. Farnese, the grandson and minister of Paul III, was not satisfied with the large sums sent to Balthasar de Faria. It was necessary to give him more. The ordinary revenues of the bishopric of Vizeu, and the privileges which Cardinal da Silva had enjoyed, were enormous. The king therefore directed his agent to offer the pope directly for Farnese the administration of that bishopric and of those privileges. It was the price he was offering for the final concession of the Inquisition, but there was to be added in the bargain the refusal of a general pardon that it was said the New-Christians were on the point of obtaining, in accordance with the report of Ricci. On this point he directed him to insist strenuously, but he told him that if the pope should cling to that idea he was not to let it interfere with the closing of the transaction.³⁷ The expedient was a clever one; Farnese was thus converted from the protector of Dom Miguel into his rival, and from a friend of the cause of the Jews into a resolute adversary of it. At the age of twenty-six, the time when the passions are most ardent, the prospect of a rich prelacy, and of profitable privileges added to the pension he was already receiving in Portugal, must have completed the opening of the eyes of the young minister in regard to the service the Inquisition was rendering to God, and in regard to the justice of the implacable hatred of Dom João III for his former private secretary. To abandon the system of more or less obscure or indirect corruption, to bribe the pontifical

³⁶ Letter of the king to B. de Faria, February 20, 1546, in the "Original Correspondence," folio 164.

³⁷ Letter of B. de Faria, February 20, 1546, in the "Original Correspondence," folio 167. This letter, which has the same date as the preceding one, admirably categorical and precise, is one of the most dreadful documents in this entire series of villainies.

government directly and in an amply generous fashion, was to walk securely to the conclusion of the long struggle undertaken for the purpose of establishing the Inquisition in Portugal, while at the same time settling the problem of the complete ruin of Dom Miguel da Silva. But it was necessary that this great means should not be weakened by the useless pretenses of noble haughtiness which the brief of June 22 showed to have lost its former efficacy with the pope. Dom João III had not yet thanked him for the concession of the dignity of the cardinalate bestowed upon the infante, Dom Henrique. This could be nicely arranged, for there were the same reasons as had formerly led him to reject a similar offer. The pontiff had been irritated by such conduct, and Simão da Veiga reported to Lisbon the profound disgust that the incident had produced.³⁸ The communication, however, was useless; the anger of the king had passed off. Balthasar de Faria shortly afterward received order to present to Paul III a letter of his sovereign in which he thanked the supreme pastor for that demonstration of benevolence, and in which past disagreements seemed to have been entirely forgotten.³⁹

All this was necessary in order to refute the resolute partiality of Ricci in favor of the New-Christians. If the nuncio was paid to follow this plan, it must be admitted that he acted like an honest workman. In language firm but moderate the king intimated to the archbishop that, in view of the fact that he was in a position to give His Holiness the information concerning the Inquisition and the inquisitors, he must cease further interference in matters relating to that tribunal until he had received new instructions from the pontiff. In this way collisions in Lisbon were avoided; but none the less the information thus obtained was highly unfavorable to the inquisitors, a fact which would attenuate somewhat the effect of the advantageous business proposed to the pope and to his grandson, Farnese. Faria was therefore charged to present to Paul III a letter filled with complaints against his nuncio, and to remind both the grandfather and grandson of the necessity of putting an end to that long-drawn-out question.⁴⁰

The state of affairs in Rome justified these precautions. Every door there had been closed to all debates with the decision to await information from Ricci. It was declared that everything depended upon that, for the king's generous proposals were as yet unknown. In the midst of this enforced darkness the New-Christians continued to ask for briefs in behalf of persons imprisoned by the Inquisition, who begged to be

³⁸ Letter of S. da Veiga in Drawer 13, M. 8, No. 6, Document 5.

³⁹ Letter of the king to B. de Faria, of May 6, 1545.

⁴⁰ Letter of the king to B. de Faria of the same date in the Original Correspondence, folio 1.

taken from the clutches of the inquisitors and tried by special apostolic judges. These briefs never gave Balthasar de Faria a single moment's rest. He felt that, inasmuch as it was understood to be best to let the general question rest until the results of the inquiry of the nuncio were known, it would also be better not to prejudice the matter by acts that tended to diminish the moral force of the inquisitors. The first months of the year 1546 passed while these obscure struggles were going on. But the agent almost always failed to prevent the gold of the richest New-Christians from saving them or their dependants from the common lot of the Hebrew race.⁴¹

What Balthasar de Faria especially urged for Portugal was that all possible means should be used, including threats, to obtain a favorable report from Ricci. The objection was not that the inquiry might show a case or two of the abuse of authority by this or that inquisitor; it lay in the nuncio's representing the general tendency, the system, and the general procedure of the Inquisition, as unfeeling and unjust. Let it cost what it might, it was necessary that, besides reporting favorably, he should not confine himself to vague terms as to whether the existence of the tribunal of faith could be tolerated or not: he should insist upon its necessity as an institution profitable to religion, and that the characters and endowments of its ministers qualified them worthily to exercise the functions of inquisitors. Without this, he felt that this long and tedious contest would have to be gone through with again at the expiration of the ten years to which the effects of the constitutive bull of 1536 limited it.⁴² The fears of the Portuguese agent show, however, that at the time when these remarks were written he had not yet received the king's letter in which he was directed to make to the pope the advantageous offers that were to redound to the benefit of Cardinal Farnese. If that were not true, he had had enough experience of affairs at Rome to appreciate the full efficacy of that expedient, and to abate entirely the fears that beset him.

There are but few documents relating to what happened through the middle of the year 1546; but the preceding narrative is more than enough to explain the course of events. The communications from the court of Lisbon during the first months of the year had been addressed to Balthasar de Faria alone, probably because it was not yet known whether Simão da Veiga had returned to Rome. But as soon as the latter reached there, as we have seen, he made every possible effort to conclude his mission. The only apparent obstacle, as we have also seen, was the delay of the information from Montepulciano. At last the information came,

⁴¹ Letter of B. de Faria to the king, March 25, 1546, in Drawer 2, M. 5, No. 45.

⁴² *Ibid.*

and the Roman curia was deprived of that last pretext for its long evasions, and found itself compelled to make a definite answer.

But what the attorneys of the converts hoped and what Balthasar de Faria feared did happen,⁴³ though to what extent we do not know. The report of Ricci was certainly not altogether favorable to the Inquisition. If we may believe what he himself wrote to an intimate friend, he did nothing more than follow in this the instructions that had been sent him on the subject from Rome.⁴⁴ There the agents of the New-Christians still had resources and protectors enough to succeed not only in preventing these instructions from being secretly given, but also in getting the pope to give public evidence that he had not entirely abandoned their cause. In fact Paul III gave it by issuing a bull proroguing for one year longer the provisions of that of May 23, 1536, in virtue of which the confiscation of the property of defendants for Judaism had been suspended for ten years. This prorogation was necessary, the pontiff said, to allow time to have collected the rest of the information that Montepulciano was authorized to gather.⁴⁵ In this way Roman subtlety escaped from an awkward position with profit. By conceding to the king the Inquisition in the desired form, and in spite of the information already gathered, he was showing him a favor worthy of being reciprocated with the realization of the offers in regard to the benefits of Dom Miguel da Silva. This information, however, enabled him to exhibit a certain solicitude for the interests of the New-Christians and not to yield in the matter of the pardon, which Montepulciano had taken care to speak of as being indispensable, and which, judging from the letters addressed to Balthasar de Faria, it appeared that Dom João III himself had no great hope of preventing. The price of this pardon, which certainly was not negotiated gratuitously, might thus be reconciled with the generous proposals secretly made by the monarch.

That is what was done. Simão da Veiga left Rome with the final decision on the subject toward the end of September or early in October.⁴⁶ But while he was crossing France, he fell ill and died at Avignon. A servant of his brought the news to Lisbon, and with it the dispatches of which he was the bearer. These dispatches contained a kind of ultimatum from the court of Rome. In conceding the establishment of the Inquisition in accordance with the general principles governing that institution,

⁴³ Letter of B. de Faria to the king, April 6, 1546, in Drawer 2, M. 5, No. 23.

⁴⁴ *Ibid.* That the information of Ricci was defective is clearly inferred from the letter of B. de Faria, of December 1546, which we shall cite further on.

⁴⁵ Bull of August 22, 1546, Package 15 of Bulls, No. 18, in the National Archives.

⁴⁶ Letter of Cardinal Carpi to the king, October 13, 1546, in the Collection of Sr. Moreira, Quad. 11.

the pope satisfied the ardent desires of the king of Portugal, that had thus far been so vigorously opposed; but with the pleasure of a satisfied desire he mixed wormwood. A general pardon of persons accused of Judaism accompanied the concession, and in the conditions under which it was to be applied it was sought to prevent the inquisitors from evading it. While insisting always that they were not authorized to come to an agreement regarding the definitive establishment of the tribunal of faith under those restrictions, Simão da Veiga and his colleague, convinced of the uselessness of further protests, had, however, simply accepted the pontifical decision for transmission to their government, the extraordinary agent leaving with it at length, to give an account to the king of the good, though imperfect, results of his long protracted mission.⁴⁷

Though Faria had been authorized to yield on the point of the general pardon, once the pope and his grandson had sold the concession of the tribunal of faith in all its plenitude in return for the revenues of Dom Miguel da Silva's benefices, the dispatches brought by the servant of Simão da Veiga excited the genuine or pretended wrath of the king. Ricci received a communication, written in sharp language, repeating the usual complaints about the consideration shown by Rome to the New-Christians, and reply was made, with explicit demands, to the supposed ultimatum of the pope. It was requested that the new bull of the permanent institution of the tribunal of faith should revoke all the exemptions and individual briefs of pardon, there being conceded to the inquisitors the powers and privileges they asked for in certain memoranda attached to that document. Pardon could only be considered when reference was made solely to persons of the Hebrew race, all others accused of Judaism being excluded. All who had confessed and been convicted must solemnly abjure before that favor could be granted them, and they were to be punished as backsliders in case they should again relapse. As for the prisoners against whom there was no satisfactory evidence but only probabilities, they were to abjure privately in the presence of the inquisitors, undergoing whatever penance might be imposed upon them, but liable to be put on trial again if further evidence should appear against them. They might avoid the consequences of this enactment if within a legal period they came to confess their errors and to abjure them, the king leaving the pope to decide whether these persons, or persons relapsing, should be treated as backsliders. The same doctrine was established concerning those but slightly suspected, but already under arrest, with the exception that they were to be released in the meantime without abjuration and without penance. Culprits or persons simply entered as suspected in the registers

⁴⁷ We have not been able to find the dispatches brought by Simão da Veiga; but subsequent documents throw sufficient light upon this phase of the negotiation.

and trial reports of the Inquisition, but against whom steps had not yet been taken, could obtain pardon by coming secretly to ask for it inside of the period fixed. In this case, also, it was left to the pope to decide whether, if they later fell into error of faith, they should be considered as relapsed heretics or not. All persons included in the preceding categories, and who did not solicit the pardon within the period fixed, could not obtain it afterward; and there would be excluded therefrom all negatives, that is, those who denied the crime, even though it were judicially proved; and so too were the contumacious confessors, that is, those who, as sincere followers of the law of Moses, while in prisons, undergoing tortures, and in prospect of cruel punishment, might frankly confess their real faith. The king ended by declaring that he was ready to abstain from confiscations three years longer, as he had already in 1536 abstained for ten.⁴⁸

These final resolutions were transmitted to Balthasar de Faria, not to be officially presented to the pontiff, but that he might know about them. Addressing the supreme shepherd through the nuncio, the king gave his minister in Rome a demonstration of displeasure at the very unsatisfactory way in which he had terminated negotiations, the progress of which he had told him to observe without otherwise intervening in them.⁴⁹ We suspect, however, that the letter addressed to the agent in Rome did not really mean what it pretended to mean. That the king may have been dissatisfied with the incompleteness of the concession, and that the inquisitors may have endeavored to induce him not to admit the pardon except under such terms as would enable them to evade it, is quite believable; but it is also believable that this letter was written to serve indirect purposes, which were often entrusted to the agents in Rome when the king wanted to alarm the curia indirectly with his anger, which might not always be vain and puerile. It is possible that Dom João III had repented the indefinite authorization he had given Faria to compromise in the matter of the pardon: but such severe manifestations of displeasure because he actually had compromised in this matter are not understood unless we see in them the ulterior design of deceiving the curia.

But what it seems possible to say with certainty is that when the dispatches given to Simão da Veiga were received, the king appeared to be not far from accepting their contents. At least so the nuncio informed his court. A committee of theologians had met at Lisbon, in which, as Ricci said, efforts were being made to prevent the acceptance of the resolutions of the pope in regard to the pardon. But the nuncio was persuaded that

⁴⁸ Letter of the king to B. de Faria, December 4, 1546, in the "Original Correspondence," folio 220.

⁴⁹ *Ibid.*

the king would be able to resist these exaggerated demands, even though he had complained that the pope had never made him an ample concession and one conforming in every respect with his desires. The communication which he received later soon disabused him on this point. Meanwhile, in spite of the expectations of the nuncio, his letter had produced a bad effect in Rome. Everybody was astonished that the partisans of the Inquisition were still not satisfied. Some of the cardinals even broke forth in invectives. "What do the inquisitors want?" said they. "Do they want flesh?" They argued that if the pardon served as a corrective for the New-Christians, there were so many souls saved; if it did not serve, it would be easy afterward to try them and to punish them. The pope, according to the secret information given to Balthasar de Faria, had said, in a moment of irritation, that he would proceed as he thought proper, whether the king liked it or not. It was this sentiment of the curia that the Portuguese agent communicated to his sovereign shortly before receiving the severe reprehensions for having yielded, without exceeding earlier instructions, upon a point in which insistence, under the circumstances, might have compromised everything.⁵⁰

A singular fact that occurred about that time shows us how, while vacillating in the presence of the extreme demands of the partisans of intolerance and of the statements of the nuncio, Dom João III sought, although late, some prudent means of escaping the difficulties that had arisen from the conflict of opposing passions and conflicting interests, but without risking anew the much he had finally gained. Perhaps the picture his agent had outlined for him of the very bad effect produced in the Roman curia by the resistance to part of the recent pontifical resolutions had contributed to the occurrence referred to, or perhaps at the moment of his triumph the voice of remorse arose in his conscience. But whatever it was, a passing ray of wisdom seems to have lighted up the darkness of that soul. Among the most distinguished New-Christians there were four whose names we do not know, who, while exercising great influence among the people of their race, also had the confidence of the prince. The king called them into his presence and directed them to draw up a statement of the best means that could be advantageously employed to quiet the converts and to induce them to submit to the tribunal of faith, abandoning the system of resistance, which was fatal to them, injurious to the kingdom, and profitable only to the insatiable greed of Rome. At the same time Dom João III forbade these men to consult with the people of their race on the subject. It was their own judgment exclusively that he

⁵⁰ Letter of B. de Faria to the king, December 12, 1545, in Drawer 2, M. 2, No. 56. "There was a cardinal who said: What do the inquisitors want? Do they want flesh?"—*Ibid.*

wished to know.⁵¹ They gave it to him. In the first place, they believed it necessary that the general pardon, said to have been obtained from the pope, be accepted in sincerity in its relations to the past, and in the second place that the severity of the Inquisition should be modified in everything that seemed to be excessive, or an offense to justice. Thus it was necessary that the names of accusers and of witnesses should be communicated to the defendants, and, to conform with canon laws, New-Christians should be declared "not powerful." This would only be to state a fact known of all persons. For more than ten years, said the four Hebrews, not a single witness against the converts had been the victim of revenge on the part of the defendants. It was proof of the timidity of the proscribed race that Francisco Gil, entirely alone, had taken a large number of prisoners from Traz-os-Montes, committing numerous atrocities against them on the road, without one of them venturing to resist him. They spoke of the assassination this man had committed in Lisbon, without his being in the slightest danger, and they mentioned the fact that when certain New-Christians were about to embark and leave the kingdom, a single individual robbed twenty of them. They reminded the king that it was impossible for his Hebrew subjects to become tranquil so long as acts by them were regarded as crimes which in other persons were not even venial sins, and so long as there were allowed to testify in the trials of the Inquisition persons of the very lowest ranks, people who had already put them to the sword, and for whom it was a delightful spectacle to see them writhing in flames.

The four converts also referred to the sad results of trying and condemning defendants by means of confessions and reports of their companions in misfortune. They spoke of the moral effects of the severity of torture, of the terror of the anticipation of punishments, of the hope of pardon, of the deceptive promises made them, and of all the diabolic arts used to induce the prisoners themselves virtually to become the executioners of each other. They skilfully gave it to be understood that many of these depositions were forged; for, they said, they did not understand how some who had frankly confessed to being Jews, and had ascended the scaffold impenitent, had left depositions (otherwise impossible to get from a person resolved to die) in consequence of which their families, kinsmen, and friends were also sacrificed. That such expedients were not necessary in order to discover culprits was shown by more than five hundred persons imprisoned at that time on account of declarations made by Old-Christians and converts who were in the enjoyment of complete liberty. They showed the necessity of having the abolition of confiscations made a reality, and

⁵¹ Document in Drawer 2, M. 1, No. 18, in the National Archives. The report of the four New-Christians has neither date nor signature, but it is evident from its contents that it belongs to the close of 1546 or the early part of 1547.

that the prisons should not be horrible cells like the so-called vaults of the Inquisition at Evora. Regarding the method of trying culprits, they noted especially the admission of complaints and depositions of slaves, a custom which made the condition of the Jewish families intolerable, for they found themselves at the mercy of their own slaves, because they could not get free servants to work for them, and they did not dare punish a slave out of fear of cruel revenge, encouraged as it was by the consideration shown those who reported their masters. In seeking a remedy for the evils pointed out, the four Hebrews, whose language was that of men sincerely converted, and who seemed neither to fear the Inquisition nor to desire that it should be abolished, reminded the king that the remedy lay in keeping the solemn promises made to the converts by Dom Manuel and by himself, promises which the present tyrannies openly contradicted. They did not confine themselves, however, to asking for the people of the nation what might be considered strict justice; they also asked for pity. They considered this the most efficacious means of leading back to the path of Christianity those who had strayed from it. In their opinion pardon ought to be granted all persons under sentence if they were not relapsed heretics, who showed that they repented even on the very steps of the scaffold, though this repentance might be inspired merely by the fear of death and not by a sincere conversion. They pointed out many abuses practiced in the acceptance of denunciations, especially those regarding acts practiced many years before, in the method of making arrests, in the order of trial, and even in the kind of punishment that the inquisitors were inflicting throughout the kingdom, one of which in Trancoso alone, had compelled to flee inside of two or three days, one hundred and seventy heads of families, most of them well-to-do merchants. The four converts concluded with some comments the gravity of which we leave the reader to judge for himself. We transcribe in substance the principal ones, and in order to make them clear, in modern language.

"Sire," they said, "may Your Highness not promulgate laws, or tolerate statutes or regulations of corporations in which an odious distinction is made between Old-Christians and New-Christians. At present, though many of these latter are people of decided capacity, they are not admitted either to the charitable institutions or to the religious brotherhoods, or even to the ranks of the master workmen in the cities and towns. When our strong and robust young men offer to enlist for the wars in India, they are rejected and heaped with insults, though it does not appear that those who went had previously done anything wrong. Incapable men are asked to accept public offices, while those most able are despised solely on account of the blood that flows in their veins, and some who had previously filled such offices they seek to exclude therefrom under pretext of race. Men

who set a high value on honor therefore prefer to leave the country. If peace were assured them, those still here would remain, and they are the largest number; those who wander in Galicia and Castile would return; and even many of those who have already established themselves in Flanders, France, and Italy, returning to their country, would come to re-establish business houses here and to restore our decadent commerce. With these favors the Inquisition would not be any less feared, nor would those who prove delinquent to the faith escape punishment. What more vigilant sentinel can there be than popular hatred? Mobs, uprisings, the scandals daily practiced against the converts, carry out in the streets and public squares the representations made against them in the courts. The people think only of persecuting them and trampling them under foot. There will never be any lack of witnesses to help condemn genuine culprits in the midst of the ill will of the common people, and in a country where the laws prohibit general inquiries on account of the tendency of the people to swear falsely. To people in such a situation, all indulgence seems but little. It were better to allow a criminal to escape than to punish an innocent person. The laws of the church and those of society often overlook small evils in order to obviate other and greater ones. This example ought to be followed. The severities of the Spanish Inquisition offer no excuse. The Portuguese are the more determined to leave their land, and they know what to expect for the very reason that they have seen what has been done in that country. It is useless to prohibit them from leaving. Experience has shown how easily they abandon their property and all they have, with what temerity they face any dangers in order to leave their native land. Without moderation and forbearance but few will remain in the kingdom. Besides, in Spain they were not ill treated, they were not vilified before they were declared to be defendants. There the people did not show them such hatred; they did not stir up riots for the purpose of killing them. There they enjoyed the same honors as the Old-Christians; they were administrators of the lands, and the simple affront of their being called Jews or apostates was severely punished. Such being the case, they risked the perils of the Inquisition. And, even so, how many of them left Spain? Countless numbers, and they are scattered all over the world. And yet there was one difference: those who are leaving Portugal today are received in various Christian countries with the greatest kindness, and are protected with singular privileges, what formerly we did not believe would happen. This, Sire, is what we think. May Your Highness have our solemn protest examined, and may God enlighten your heart to choose that which is wisest."

The preceding advice and reflections are obviously reasonable. Reason, justice, humanity, and good policy seem to have inspired them. But when

they were submitted to the partisans of the Inquisition or to the inquisitors themselves,⁵² they were found to be almost inadmissible. That was only natural. And furthermore the objections raised appear at times to be conclusive, if one starts from the legal doctrines then in vogue. Up to a certain point, the grievances mentioned in the report were unfounded, if it be admitted that the church or the state had the right of intervention in the beliefs of individuals, and that violence and cruelty may be a means of salvation. It would, therefore, be unjust to attribute to the will of man part of the ills that come from the existence of the tribunal of faith, based, as it was, upon false ideas. The same thing did not happen in a certain kind of cases. The report proposed, for example, that no one should be arrested or tried on charges or testimony of prisoners, and that intolerance needed only the charges made by Old-Christians and converts who were in the enjoyment of their freedom; in proof that this reasonable method was sufficient, the fact was quoted that in the consequence of such reports more than five hundred persons had been imprisoned and tried, and it was remarked that popular hatred would be quite enough to encourage accusations of this kind. The inquisitors did not deny these facts, but they referred to the consideration that, inasmuch as Judaism was a crime practiced under cover, only defendants who were prisoners could know who their codefendants were, as if the tortures and terrors employed to make victims speak and to compel them to find accomplices were matters of indifference. The corrective for this, and the guarantee for culprits that they offered, was their own shrewdness and integrity in distinguishing depositions of this kind. As for arrests based on reports of Old-Christians, they declared that such cases only happened in the beginning when the Inquisition was first established in any district, and that afterward they ceased; a puerile defense, for nothing was more natural than that they harvested at the very outset all the accumulated hate, and that all unpopular men were immediately persecuted whenever, at any place, a means was presented for gratifying personal revenge and public ill will. It would be absurd to expect anything else. Admitting the tendency of the lower classes to swear falsely, they met fact with fact, citing cases in which converts had corrupted witnesses in their own favor, as if that were not another proof that the common people could also be bribed to testify against them, and all the more since the names of accusers and witnesses were kept secret. But this matter of the defendants' being kept ignorant of the names of those making charges against them was a point which the inquisitors regarded as inseparably connected with the existence of the

⁵² The analysis and refutation of the report of the New-Christians is in Drawer 2, M. 11, No. 21. On the outside in medieval letters is a note saying that they are the observations of the celebrated inquisitor, João de Mello.

tribunal. Consequently they obstinately adhered to the doctrine that the New-Christians, men crushed beneath popular rancor, fanatical persecution, and the cupidity of the king and his brothers, and the omnipotent cruelty of the greater part of the clergy, both secular and regular, ought to be regarded without distinction as "powerful men." Powerful persons! who in terror thought only to escape from the kingdom, and against whose escape, by a refinement of barbarity, severe measures were taken. Powerful persons! who trembled, and obviously with good reason, not only before any one of the lowest classes, but even before their own slaves, if they were sufficiently well-to-do to be able to use this sole means of having domestic servants, a position that no one of a so-called pure race would accept in a family of converts. In reply to the public and well-known facts presented by the counsellors in proof of the timidity of their nation, the inquisitors cited examples of individual revenge, taken by kinsmen or friends upon one or another victim, denying in this matter the too sweeping statements of the four converts. But even if they were true, what would such examples prove? They would prove the necessity of declaring all the inhabitants of the country "powerful," for in no criminal trial were the names of accuser and accusing witness revealed to the defendant. What blood shed by man would not cry aloud for vengeance and nerve the heart and arm of father or son, of brother or friend, to punish legal assassination, especially when, in its perverted ideas, society, awakening the barbarous instincts of personal revenge, applauds such odious acts instead of condemning them? The counsellors proposed that criminals who were not relapsed heretics should be pardoned, even after they had been turned over to the secular courts, without inquiring into the character of their repentance. This too was a point which did not suit the inquisitors, for the reason that, without inquiry into the sincerity of penitents, they would continue to be Jews in secret, and would be guilty of desecrating the sacraments. These men, who had enough confidence in themselves to claim that they always knew how to discover the truth in the midst of suspected testimony and in a monstrous trial, knew of no way to prevent a defendant from committing a sacrilege except by putting him to death. Fire was the sum total of their way of preventing things. So there was not a single point in the entire document of the four Hebrews with which the inquisitors fully agreed, and, if they conceded anything at all, it was with restrictions that annulled the concession. To give an idea of their method of discourse we transcribe here also the part of their report in which they oppose the plan for the suppression of confiscation. "This observation," said they, "is unfounded. At least they should not ask that a man who deserves to lose his property should keep it. It would also be very bad policy to

give it to his children and representatives. The defendants would then make efforts to save the latter and to cover up their faults, because through them they will keep their own goods, *risking themselves and preferring all* to denouncing the Judaism and errors of their next of kin." An absurd statement, for in cases of capital punishment it was not applicable, and it was precisely the death penalty that was always accompanied by confiscation. The real mistake consisted in allowing the victim to escape spoliation. However, with certain restrictions, the inquisitors permitted the granting of this *favor* for a while.⁵³

The reasoning of the inquisitors, or rather their obstinacy and their means of influence, were serious obstacles to the transitory inclination toward moderation and discretion that had touched the coldly fanatical mind of the monarch. The hope of obtaining, if not all, at least better conditions in the matter of the pardon, also sprang up again at this juncture with the acquisition of a new and important agent. This was a favorite chamberlain of the pope, named Estevam del Bufalo, who had come to Lisbon about the end of 1546, bringing the cardinal's hat for the infante, Dom Henrique. The ardent partisans of the Inquisition had at once won over this man to their side; they had flattered him, and they had probably bribed him with gold or with promises. On leaving for Italy early in 1547, Estevam del Bufalo had promised to represent to the pontiff in lively colors the advantages of the Inquisition and to contradict as calumnies the accusations brought against the inquisitors, thus deciding the pope once for all to acquiesce entirely in the desires of the court of Portugal. But, as experience must have made Dom João III suspicious of Roman loyalty, he wrote to Balthasar de Faria and suggested that he should watch the movements of Estevam del Bufalo, and find out, through deception, how he fulfilled his fine promises, but assuring him at the same time of the full confidence the monarch reposed in him.⁵⁴

The truth is that in its essential features the question of the final establishment of the Inquisition was settled, and that further consideration was reduced to the determination of the greater or less degree of oppression that was to weigh upon the New-Christians. The inquisitors wanted to get the fullest liberty for their terrible power, and Rome seemed uncertain about abandoning entirely to the ferocity of fanaticism the men who had bought at a high price her protection, which so often had proved sterile. There was now no one to recall the maxims of tolerance that obtained in the Middle Ages in our country, and which were still so eloquently defended in the councils of Dom João II and Dom Manuel.

⁵³ Document in Drawer 2, M. 1, No. 21.

⁵⁴ Letter of the king to B. de Faria, January 22, 1547, in the "Original Correspondence," folio 230.

At this time, as we have seen in the report of the four New-Christians, the Hebrew race, the people of the *nation*, poor strangers in their own native land, were content with a few guarantees of regularity and justice in the practices of the tribunal of faith. From the documents of the time disappear gradually all traces of the energetic efforts, the skilful intrigues, and the pecuniary sacrifices made for so many years at Rome. All we find is a request that the pardon with regard to the past be not altogether illusory. It is the dismay of victims who fold their arms resigned to the supreme affliction. It may be that the news of the bargain proposed by the king, and its acceptance by the pontiff, of which subsequent facts furnish us irrefragable evidence, was poorly guarded, and the New-Christians had perhaps looked upon this pact of injustice and blood as an irreparable blow. Could they, indeed, assure young Cardinal Farnese, the beloved grandson of Paul III, a life pension as large as the annual sum the king would divert in his behalf from the revenues of the Portuguese church? And even supposing they could, by a great sacrifice, offer a pension as large or even larger, what guarantee was there of its perpetuity? On one side was a contract based on solid securities, guaranteed by pontifical bulls and royal decrees; on the other there could be only secret agreements with an avaricious and persecuted race, agreements the compliance with which would depend upon the loyalty and the uncertain resources of thousands of individuals. There was no doubt about the choice. To ask the Farnese family to sacrifice such serious and secure interests to the precepts of the gospel and the laws of humanity was to ask entirely too much. It is true that the pontiff had solemnly declared that, if he should abandon the New-Christians to the furies of the Inquisition, God would one day require the blood of the victims at the hands of the king of Portugal and at his own as well; but those were vain words that they had forgotten. The Jewish race had at last been found lighter in the Roman balance of justice, and it was therefore condemned. Further discussion of one or another detail of the business meant merely that it was necessary to guard certain conventional forms of decency, or perhaps it was one of those compromises with remorse that are made to deceive the conscience, which even the largest bribe does not always succeed in reducing to silence. But in reality all these disputes, more or less insignificant, did not essentially change the final results.

CHAPTER X

THE INQUISITION IS ESTABLISHED WITHOUT RESTRICTIONS, 1547 AND 1548. THE EPILOGUE OF 1561

Such was the state of affairs during the early months of 1547. The drama was evidently rushing to a climax. In April the cardinals entrusted with the settlement of that difficult matter finally reached an agreement which Balthasar de Faria, tired out with long debates, felt that he ought to report to the king as the last decision of the pontiff. To a large extent this decision satisfied the last proposals made through the nuncio. The pardon would be applied to persons convicted who, on confessing their errors, would solemnly abjure them, and thereupon they would be released without performing any penance. It was not a complete amnesty, however, for the offense was not entirely forgotten; fresh acts of Judaism would immediately make the pardoned defendant a backslider or relapsed heretic, to be treated as such. Those who, at the time of the pardon, were already in this category would have penance imposed upon them at the discretion of the inquisitors, but they could not be turned over to the secular courts; that is, they would escape the extreme penalty which was generally imposed upon the relapsed. The following were excluded from the benefits of the pardon: first, all delinquents not of the Jewish race; second, all those who pleaded guilty, but who persisted in error; third, all those, who, having been judged and already sentenced to temporary penalties, were completing their sentences. Such were, substantially, the provisions of the bull of pardon. It was to be accompanied by a brief revoking at once all briefs conceded to individuals, either to exempt them from being put on trial, or to withdraw them from the jurisdiction of the inquisitors by giving them special apostolic judges. For twenty years Rome had received large sums from the sale of these briefs; but in declaring this kind of bankruptcy in mercy, it still showed some remnants of conscientious scruples; for the revocation did not include briefs granted to attorneys who defended in the pontifical court the cause of New-Christians or to their kinsmen living in Portugal. But yet the exception did not promise any too much security to the ones thus favored. A letter officially addressed to the king by Santafigore, in the name of the pope, was to modify that exception. The pontiff would uphold it so long as the person excepted behaved well, and the person excepted would behave well as long as the

king did not tell the pope that he was behaving badly. If such a complaint were made, the brief of exemption would be revoked. Finally another brief, not mandatory, was to be sent the king, requesting that for one year New-Christians who might wish to do so should be allowed to leave the kingdom without their being arrested or put on trial within that period, and that they might take whatever they owned so long as they were not things forbidden to be exported. In regard to this point the agents of the race doomed to extermination, from the depths of their dismay, had gathered energy for one last effort. They had begged and complained that at least the liberty of voluntary exile should be left to their unfortunate clients. They observed that otherwise the pardon would be perfectly illusory; for persons pardoned could be arrested as soon as they were released, either on account of new complaints, or simply for suspicions of recent crimes, which, if proved, would lead to their being burned immediately as relapsed heretics. They therefore asked that they be permitted to flee without being proceeded against within a certain period, for without this precaution the permission also would be useless. The request seemed so reasonable that Paul III did not venture to disregard it entirely, and it must have been for that reason that that particular brief was dispatched. But in view of the implacable disposition of the king and the inflexibility of the inquisitors, the provisions of this brief, when deprived of its mandatory character, were, indeed, but a fragile guarantee. And, as if this were not enough, the simple request of the pope was still further modified in the same way as the exemption of the attorneys of the New-Christians at Rome had been. Santafiore would write another letter to the king in which a narrower interpretation would be given to the solicitations of the pontiff. They were to be understood as relating only to suspects or to those accused of secret crimes, and not to those whose heretical acts were public and notorious, against whom steps should be taken and later reported to the pope. Furthermore, a bond of from forty to fifty thousand ducats should be required of the people of the race, by which the New-Christians in general should guarantee that none of those who received permission to leave the kingdom would go to the land of the infidels. The amount to be deducted from this sum for each violation of the agreement the pope left to be fixed by the king; but it was to be used for the building of Saint Peter's at Rome. This use of it smoothed away all difficulties, and Faria easily reached an agreement about it.¹

¹ Letter of B. de Faria to the king, May 3, 1547: "Which guarantee was to be used for the works on St. Peter's, and with this I caught them; otherwise it would not have been possible."—*Ibid.*

While the Portuguese agent was reporting the state of the business to Dom João III, Farnese was likewise communicating it to Ricci, explaining to him the motives and meanings of the latest decisions, and thus putting him in a position to meet any objections and to prevent less precise interpretations that might frustrate the intentions of the pontiff. The point which he regarded as most serious, and with reason, was that of the liberty asked for the New-Christians to leave the kingdom for the period of one year, care being taken that this concession should not be rendered nugatory. The certainty, said the cardinal minister, that His Holiness felt that the king had never prevented that departure, as he himself declared, and consequently the hope that he would readily accede to such a condition, was one of the principal motives that led him to concede the Inquisition in all its plenitude. That provision was highly just, in view of the fact that all the favors and exemptions granted to the Hebrew race up to that time were coming to an end, and that the tribunal of faith was going to press upon it in all its vigor. The very reputation of the king and of the inquisitors gained by such a concession, for otherwise it might be said that the secret purpose of so much zeal was simply to rob the New-Christians of their property and of their lives, and not to keep the kingdom free from heresies. The intentions of the pope in this respect were decisive. The preference for setting them forth in a separate brief in the form of an exhortation was simply because the Portuguese agent requested it as a manifestation of confidence in the king, and with the promise that permission would readily be granted anyone to leave the kingdom who asked for it, and that no pretext would be raised for refusing it, not even if the individual requesting it were already suspected of secret heresy. Thus those who went away would do no harm, and those who remained of their own accord could be punished after one year if they should transgress, or even inside of a year if they should commit a public and scandalous crime against the faith. Regarding the point which particularly interested him, Farnese informed the nuncio that the pope had agreed to entrust to him, the cardinal minister, the administration of the bishopric of Vizeu, and to bestow upon him the benefices of Dom Miguel da Silva, regarding which the bulls and other necessary documents were going to be dispatched; but he informed him that His Holiness had applied all the fruits and revenues thus far set aside to the construction of Saint Peter's, in this way giving pleasure to the king by not allowing a farthing of it to reach the hands of Cardinal da Silva, and by using these large sums entirely for pious purposes, disregarding at the same time the unheard-of claim of the religious monarch who sighed to share in those rich spoils. Enough was enough. His Holiness had done much in not fighting for the ecclesiastic immunities, maintaining the rights of Dom Miguel da Silva.

He had sacrificed his claim to keeping all the money for himself. Should the king insist upon demanding his share, he might be sure that the entire business of the Inquisition would be upset, and that would be a pity after matters had reached such a satisfactory conclusion.²

But Dom João III did not consider these terms so advantageous when he learned of the final agreement. If the pope did not want to lose a single *real* of the price of the blood of the New-Christians and of the implacable revenge upon Dom Miguel da Silva, he on his part was not much inclined to accept incomplete concessions and limitations which diminished the intrinsic value of the article he was buying. The first reply he gave to the communications made to him, both through the nuncio and Balthasar de Faria, was to revalidate for three years longer the law of 1535 which prohibited all New-Christians from leaving the kingdom without express royal permission, or without giving a guarantee of at least five hundred *cruzados*.³ He then had a severe letter written to his agent at Rome for having permitted the conclusion of the business in that form. In speaking therein of the pardon, the impropriety of allowing those who might confess and abjure their errors to go free without receiving any spiritual instruction and penance was pointed out. Loud complaints were made because those who had already relapsed would be exempted from civil punishment, a thing not done even in the time of Clement VII. Reference was made to the necessity of declaring that prisoners, suspects, and those who were already indicted ought, in view of strong suspicion, to abjure also, and to

² Letter to the nuncio of Portugal, in the *Symmicta Lusitana*, Vol. 29, folio 75. That no one may suspect us of representing incorrectly this incredible letter the last parts of it are copied here. (Italian.)

"I shall not fail to add how His Holiness has conceded and applied to the church of St. Peter all the past fruits of the churches and benefices above mentioned from the time that His Highness had them taken, in order that not only it may be satisfactory to him in not giving them to the said Vizeu, but also to convert them to a pious use, because to leave a part of them to be distributed there as His Highness demanded, for this there was no order from His Holiness, it appearing to him that he had allowed himself to go too far in other matters, so that if His Highness had wished to remain obstinate in this matter it would have disturbed all the rest of the expedition which through the grace of God had been brought to a happy conclusion."

The words *haversi pur troppo lasciato andare nelle altre cose* are explained by a preceding and no less singular passage in the letter, in which Farnese mentions the sacrifice the pope made when he put in his pocket the revenues of the bishop of Vizeu and of other benefices of the unfortunate Dom Miguel da Silva. His grandson says he consented to do this to please the king for: (Italian) "this did not satisfy the demands of ecclesiastical liberty and the honor of the see, nevertheless in order to remove as far as he was concerned any ground for dissatisfaction, and, as far as His Highness was concerned, any difficulty, he finally gave his consent, etc."

³ Law of July 15, 1547, in Figueiredo, *Synopse Chronologica*, Vol. I, p. 401.

the no smaller necessity of secret reconciliations for those who might feel themselves to be culprits before they were allowed to obtain the pardon. Balthasar de Faria was reminded that it was with these provisions that it had been agreed to admit that pardon, when the pope, having suspended the authority of the inquisitors, did not seem inclined to grant it without this act of clemency. Such had been the instructions he had received at that juncture, and which he should not have forgotten. The idea of not objecting to secret crimes of Judaism for one year, and of having to give notice to the Roman curia of trials for public crimes before passing final sentence was likewise rejected. Such delays only scandalized the people and counteracted the salutary effects of punishment. The idea of the advisory brief of allowing New-Christians to leave the kingdom freely for a year was rejected with still greater emphasis. It was a matter that had already been debated at length in Portugal in a board of theologians and jurisconsults, who had decided the question in the negative. The alternative of the general guarantee was, in the opinion of the court of Lisbon, an impracticable matter, aside from the fact that there was no advantage in it either to the king or to the kingdom. Everything, therefore, in the pontifical resolutions relating to the last proposals sent to Rome that stood in opposition to these latter should be rejected; and should the pope finally formally refuse to change the decision, Balthasar de Faria was ordered to yield in everything, except in the matter of granting a delay of a year before the Inquisition could proceed against secret delinquents. In case an exception were made in favor of the attorneys of the New-Christians and their families in the general revocation of the briefs of exemption, it was also necessary that the names of all persons to whom the exemption was applicable should be specifically mentioned, so that it might not happen that many persons could take advantage of it unduly.⁴

From the letters both of Farnese to Ricci, and of the king to Faria, it is clearly evident that the last hope of the Portuguese Jews was for them to abandon their country in a new exodus, like that from Egypt, thoroughly convinced that there was no way left for them to escape the implacable persecution of the Christian Pharaoh. The decision they had now reached they did not conceal, stating publicly that not one of them would remain in Portugal.⁵ This was a serious imprudence to which they had perhaps been driven by extreme desperation, or by their already having information, probably through the nuncio, that the pope in conceding the final establishment of the Inquisition was facilitating their

⁴ Letter of the king to B. de Faria, July 22, in the "Original Correspondence," folios 246 *et seq.*

⁵ *Ibid.*

escape from the kingdom. In reality the brief relating to this subject was purely advisory, and was far from being, even in appearance, a sufficient guarantee; but from the letter of Farnese to Ricci it is seen that it was intended to have a more positive value. As we shall presently see, the idea back of it, so to speak, would have the effect of Rome's supporting it more energetically than might appear. On the other hand, it is evident that Dom João III feared that he would not be able to prevent that escape of the converts. At a period when it was a hundred times easier for a person to escape the vigilance of authority than it is today, and when there was virtually no police in the interior or at the seaports, or on the frontiers, it could not have been easy always to prevent the secret escape of persons who were ready to attempt anything in order to save their lives. But the difficulty would increase if the sharp eyes of the inquisitors and the strong claws of their agents should be reduced to inaction for a year. Indeed the law of July 15, which renewed for three years the one of 1535 regarding the departure of converted Jews from the kingdom, declared secret flight a crime; but in a country profoundly corrupt, the incorruptibility of magistrates and public officials was not to be depended upon very much; nor did the law have any effect on those who could and were willing to lose the guarantee of five hundred *cruzados*, for which all Jews fairly well-to-do might leave the kingdom under pretext of business. The struggle so long kept up, the victory that might be said to have been won, and the price paid for it were all useless. Without victims, without full prisons, without *autos-da-fé*, the Inquisition was child's play. The energetic expression of the cardinals regarding the wishes of the Portuguese inquisitors was a terrible truth: they wanted flesh. The wealth of the Jews might enrich the ministers and agents of the tribunal or the royal coffers by the sequestration and confiscation of the property of those who left the country; but from the echoing dungeons the groans would die away, for the fires there would be no fuel, profound hate would miss the spectacle of agonies, and hypocrisy would lose its best opportunities for pretending religious zeal. Everything could be granted save consent to the free departure of the New-Christians, if the long term of a year, during which the Inquisition would be inactive, were conceded after the pardon was granted. It was this condition in particular that contained the poison. Without that, it was easy to evade the exemption: with it, all was lost. Of course, to insist upon forbidding the New-Christians to leave the kingdom belonged exclusively to the king; but also it belonged exclusively to the pope, in establishing the Inquisition with the greatest latitude, to prohibit its functioning for a certain period. And just here lay the difficulty. At the end of the letter to Balthasar de Faria he was instructed in regard to the final means to be resorted to in case the pope should remain firm regarding all

the conditions he had established. He was told, in substance, what would result from the report of the four converts of which we have already given a detailed account. The king was decided to agree to that report in part by maintaining for ten years longer exemption from confiscations and permitting that the revelation of the names of accusers and of accusing witnesses against "non-powerful" defendants, should be clearly ordained. He also agreed that the reconciliation of those turned over to the secular courts should be allowed, not after they were delivered to the civil magistrates, as the consultors proposed, but before that act. In view of this agreement the pope ought not to wonder at his revival of the law of 1535, nor should he insist upon his own resolutions. He was proposing those advantages for the converts as a compensation, when the respective conditions, destined to embarrass the free action of the tribunal of faith, were suppressed. He was determined that it was the last concession he would make to the pontiff.⁶

This concession, however, was a political mistake at such a time. It not only disclosed the purpose of the inquisitors to do anything rather than let their victims escape, thus justifying those at Rome who accused them of being devourers of human flesh, but it also proved that the firmness thus far shown was not so complete and irresistible as the language recently adopted by the court of Lisbon seemed to indicate. Balthasar de Faria, so often accused of a lack of perseverance, showed more tact at this juncture than the most violent partisans of the Inquisition. He kept back the instructions he had received and continued to urge the maintenance of the bases that he had accepted, writing to the king in order to convince him of the inconveniences of the new proposals. He was helped to maintain his point by an imprudent move on the part of the Roman curia. It seems that the agents of the Portuguese Jews had obtained a general safe-conduct admitting them to the States of the Church.⁷ When the existence of this secret document was discovered,

⁶ *Ibid.*

⁷ Letters of B. de Faria to the king in Drawer 2, M. 5, No. 46 and No. 64, which we shall refer to later. The correspondence of Faria from May until October 1547 had not been found. But from the letters of October and November of the same year, it is seen that he had written more than once to the king in that interval, and that he had sent copy of a *brief of safe-conduct insulting to Portugal*, that had been granted the New-Christians. The discovery of the existence of this secret document made a great stir in Rome. A brief of safe-conduct could be used only to admit the Portuguese New-Christians into the Papal States without let or hindrance. It is probable that the preamble of the brief contained some severe expressions against the inquisitors *who wanted flesh*. From the letter of the bishop of Porto of November 22, which we shall use later, it is also clear what this passport was to which the Portuguese agent referred.

Faria complained bitterly, not only regarding its having been granted, but also about the form of it, because the reasons assigned for it were insulting to the Portuguese government. Whatever the motives may have been for the writing of such a document in the Roman chancellery, the idea was at once suggested that the safe-conduct and the insistence that the departure of the New-Christians should be allowed for a year were mutually related. Thus the question took on another appearance, and the bases of an agreement that he had accepted, and in favor of which he had made recommendations to his government, became unacceptable. Without the discovery of the safe-conduct, and if the decision of the pope regarding the propriety of expatriation for people of the Hebrew race had prevailed, Dom João III, who had bought the Inquisition in its most complete form at so high a price, would have obtained something almost useless, and would have been cheated in it all save in his revenge upon the aged Cardinal da Silva whom Farnese was gleefully throwing to the tiger-like king. It might be said that Rome had adopted, at a time infinitely more opportune, the policy that elsewhere we have seen adopted by Charles V, and of which his instrument in the court of his brother-in-law was the infante, Dom Luiz.⁸ By offering an asylum to the fugitive Jews, the pontifical government found one more way to enrich itself with the spoils of Portugal. The existence of the Roman Inquisition did not prevent the toleration in the dominions of the church of those who publicly professed Judaism, and the Portuguese Jews, who might still keep intact in their hearts the faith of their ancestors, would find in Italy the liberty and security that they did not find in their own country, when they took with them all they were able to save.

Faria seemed to be highly scandalized by that act of evident duplicity, and he filled Rome with his outcries both against a procedure which showed reserved intentions, and on account of the unseemly language of the brief. There was no remedy for it except to placate him in order to save the appearances of disinterestedness as far as it was possible. They proposed to him that one of three things be done:

That the king send the pope a secret decree in which he would concede for ten years longer the suspension of confiscations, maintaining in the meanwhile the prohibition against Jews leaving the kingdom; or

That the latter be permitted, such precautions being taken as might be thought convenient in order to prevent the Jews from going to infidel countries, while the treasury should have the receipts from penalties imposed upon those violating the regulation; or finally,

That they be allowed to leave, but that their children be taken away.

⁸ See *supra*, page 495.

But the Portuguese agent knew that the slightest hesitation would lose him the advantageous position that prudence or the corruption of the apostolic chancellery had given him, and all three of these courses were formally rejected. Faria had no reply further than that it should all be left to the clemency of the king; he would be amply generous, but to impose generosity upon him was a thing that could not be accepted.⁹

In view of this inflexibility, the Roman curia, discredited by its own double dealings, of which the Portuguese agent never forgot to remind it, decided to send a commissioner who should take to Portugal the final bulls of the Inquisition and of the pardon and the other documents and letters, which, as we have already seen, were to complete or modify the provisions of those bulls. It was a kind of appeal from the diplomatic agent to the sovereign. Chevalier Ugolino, nephew of the late Cardinal Santiquatro, was selected as the bearer of those dispatches. Although the pope apparently insisted upon his last resolutions, the fact was that Ugolino carried with him secret instructions to shut his eyes, should the king not accept the restrictions imposed upon him or grant the concessions asked of him in the letters accompanying the bulls. Reporting to Dom João III this circumstance, which had been disclosed to him by Santafigore and by Ugolino himself, Balthasar de Faria suggested that it would be wise, in matters relating to the prohibition of Jews from leaving, not to make too much noise about its rejection, for in such noise Paul III would see evidences of spite and contempt. The king ought to be satisfied with the promulgation of the law of July 15, and with the use of the greatest vigilance to prevent New-Christians from escaping. Ugolino was taking a brief authorizing the seizure of the property of those who might attempt to escape to infidel countries. With that brief he would be able to do anything, even to compelling many of those who were absent to return. As for the rest, he advised the king to grant spontaneously and as a pure favor the concessions they were requiring him to make as part of the agreement. While they might be disadvantageous in that light, if they were granted voluntarily, they would not only serve to quiet the New-Christians, but they would also conciliate public esteem for the sovereign who thus showed himself indulgent.¹⁰

In the political questions between the two governments, the insistence upon mutual demands, and not rarely exaggerated self-importance, aroused at every step incidents that increased the difficulties with which the negotiators had to deal and delayed the agreement, which at times was somewhat difficult, upon the essentials. But at this point the incident that

⁹ Letter of B. de Faria to the king, October 17, 1547, in Drawer 2, M. 5, No. 4.

¹⁰ *Ibid.*

placed new obstacles in the way of a matter that seemed to be finished arose from a singular cause: the same one that Faria had taken advantage of to obtain a result which he hardly expected himself. This cause was fear. The Roman curia, caught in an act of dishonesty and bound by the agreement made between the king of Portugal and the pope on behalf of Farnese, had decided to sacrifice the unfortunate Jews completely. Having sent the briefs and letters intended for the protection in the first fury of the persecution, but at the same time recommending to its agent that he should not be over-nice in observing whether the king paid attention to them or not, it thought to save appearances and to get rid of its own moral responsibility by placing it upon Dom João III. It was little concerned about the judgment of Him who sees into the hearts of men. Corrupt and worldly, it was enough that the world should absolve it. The main thing was that such an excellent bargain should not be endangered. But if there were fears at Rome, they were also not lacking among the implacable supporters of the Inquisition. We have seen why. It was these very fears that had inspired the last instructions sent to Balthasar de Faria, who, being more experienced and less directly concerned, saw their bearings and knew how to evade their consequences. But at Lisbon fear had not been tempered by someone's discretion as it had been at Rome. The nuncio had not only discovered the alarm, but he even succeeded in bringing it about that there should be communicated to him the new concessions that the king had decided to make in everything, if only they would abandon the idea of facilitating, by temporary immunity, the escape of New-Christians who were at liberty for the time being. As may easily be supposed, Ricci made haste to report to Rome what he knew about the state of alarm at the monkish court of Dom João III.¹¹ The effects of the nuncio's communication were felt at once by Faria. The Chevalier Ugolino was to have left for Portugal on the day following the one on which a courier arrived with the letters of Montepulciano; but his departure was immediately suspended in view of the fact that the king was wavering. The nuncio made no mistake when he said the great firmness with which it was insisted that the final business of the New-Christians should be settled came entirely from Balthasar de Faria, who had exceeded his latest instructions. The Portuguese agent was then given to understand that the pope knew all about it, and that in view of his pertinacity, in place of treating with him about the conclusion of the business, Ricci would be authorized to terminate it at Lisbon. Faria had already notified the king, and he therefore made a pretense of standing firmly by his last

¹¹ From instructions given later to Chevalier Ugolino by Farnese, which we shall use later, it is seen that the nuncio reported everything to Rome in a letter dated June 21.

statements. Subsequent facts again proved that energy and firmness are arms of too fine temper to break down the pretensions or to defeat the wiles of the Roman curia.¹²

There was in Rome at that time, a person with whom the reader is already very well acquainted. It was the bishop of Porto, Dom Friar Balthasar Limpo. He had gone to Italy to attend the council then being held at Bologna after holding a few sessions at Trent. In the midst of the general corruption the austere character and violent temper of the Porto prelate caused him to be feared in the curia. The inquisitor, Friar Jorge de Sanctiago, who had also been sent to Trent as the theologian of Dom João III, and who happened to be at the pontifical court when the letters of Ricci came to complicate the affairs of the Inquisition, went to Bologna, and after telling Dom Friar Balthasar about the new obstacles which the devil seemed to be raising to the final conclusion of a matter in which they were both so deeply interested, pointed out to him what a stroke of policy it would be for him to come to the aid of the efforts of the king's agent in order to secure a prompt and favorable settlement. The labors of the council were suspended by disputes between the pope and Emperor Charles V, who protested against the removal of the council from Trent to that city. The bishop of Porto, therefore, went to Rome, where he was also called by the desire to tell the pope some hard facts about the intrigues that had been going on in the assembly at Bologna.¹³

What was thought at Rome of the bishop of Porto and of his character we have already seen elsewhere. The point in which this estimate seems to have been not altogether exact is in what relates to his lack of boldness. If, as we have also seen, he retreated, and even humbled himself in the presence of danger, when the excesses of his violent temper met with resistance and placed him in a difficult situation, where and when material

¹² Letter of B. de Faria to the king, November 17, 1547, in Drawer 2, M. 5, No. 64, in the National Archives.

¹³ The story of this and the subsequent paragraphs is taken from the document cited in the preceding note and from the letter of Dom Friar Balthasar Limpo to Dom João III of November, 1547, which is in Drawer 2, M. 5, No. 37, in the National Archives. Dom Rodrigo da Cunha, in the *Ecclesiastical History of Braga*, Part 2, chap. 81, published a letter attributed to Gaspar Barreiros, dated November 22, 1547, containing a narrative of what happened at Rome at this period in regard to the business of the Inquisition, which, while agreeing in large part with the documents we are following, differs from them in regard to several circumstances. The letter of Barreiros was communicated to Cunha by Lousada, who said he had copied it in the Torre do Tombo. We are able to state that such a letter is not to be found there now. We do not mean to say from this fact that it was altogether invented by that celebrated falsifier. But we do feel that it should be read with caution. We are following the narrative of Faria and of Dom Friar Balthasar Limpo, because the originals exist, and because they are sufficient to establish the events.

danger did not exist, and he sincerely felt that he was right, Dom Friar Balthasar Limpo, far from being timid, was a man of unlimited audacity. The freedom of his language, the severity with which he recalled the wayward to a sense of their duty, had given him a certain importance among the priests of the council, and possibly this deceived him in regard to his own capacity. His first encounter with the pope was a stormy one, in spite of the demonstrations of affection with which he was received by Paul III, who was anxious to conciliate the minds of the foreign prelates in the midst of his disagreements with Charles V in regard to the place where the sessions of the council should be held. Before taking up the special subject that had brought him to Rome, the prelate of Porto spoke to the pontiff bitterly of the general affairs of the church. Humiliating him at the outset on grounds where the advantage was all his own, he gained moral strength to overcome opposition in the less justified pretensions regarding the Inquisition. He felt, and he would have so advised if he had been at Rome when the holding of a council was under consideration, that it should have been called solely to discuss and settle questions of doctrine and to condemn the heresies that were springing up over Europe, but that disciplinary reform ought to come from the pope and from the pope alone. As for dogma, he trusted the council: as for reform, no. "The remedy for the church," said the bishop, "is for it to evacuate its bad humors." The clergy should return to the apostolic laws and the admonitions of the holy fathers. Unless they did, Christianity would be lost almost beyond remedy. He advised the pope to thank God for the earthly goods he had granted him, at least now that he had so short a time to live and to reform the ways of the church; for God would reward him according to his deeds. He reminded him that unless he did so he would perhaps experience the divine vengeance in his own temporal interests. He must come to the help of the church. Unless he, the pope, or his successor did so, the secular princes would: and if they did not, God would do it. He asked His Holiness to intervene firmly in this matter, reminding him of the glory that had come to Innocent III for what he had done on the occasion of the third Lateran Council, and of the infamy that had befallen the conduct of Leo X at the time of another general Lateran Council. The state of the church was intolerable, and reform ought to begin with the Roman curia which was the source of the disorders of all Christianity. What was the use of the council's reforms if the pope did not allow them to be put in operation in Rome? And as for the other churches, he declared, as an eye-witness, that there were not ten bishops in the council who wanted these reforms. He expected nothing from that assembly of prelates and theologians, nor did he believe that from it would come a remedy to put an end to heresies; for it was not

possible to gather the dissenters into the Catholic fold as long as they could see the spectacle the church was making.¹⁴ Regarding the matter of the Portuguese Inquisition, which was the principal object of his coming to Rome, Friar Balthasar Limpo repeated all the commonplaces that had been brought forward for the past ten years on the part of the court of Portugal; but finally he came to the chief subject of the question pending—the dispositions of the brief intended to facilitate the departure of Portuguese Jews from the kingdom. He represented to the pope as especially ugly the reception these dispositions met in the pontifical states. They were leaving Portugal openly or secretly, with the names and characters of Christians, bringing with them their children for whom they had accepted baptism *voluntarily*. They came to Italy, they declared themselves Jews, and they publicly circumcised those innocent children. And this was done, as it were, in the presence of the pope and the council, at the very gates of Bologna and of Rome; it was done because His Holiness had given them the privilege of allowing no one to disturb them in Ancona on account of their religion. In such a state of affairs it was impossible for him to wish the king to grant them free exit from the kingdom, so that they could come and declare themselves Jews in the lands of the church, simply because the court of Rome made money by it. Far from opposing the Portuguese Inquisition, therefore, His Holiness ought to generalize it in his own dominions. He gave that advice in the name of religion; he demanded it in the name of his sovereign, and as a recompense for the services the kingdom of Portugal had rendered and was rendering to Christianity.¹⁵

The eloquence of Dom Friar Balthasar does not seem to have attracted the attention of the pontiff in the second part of his discourse as much as it had when referring to the general questions of the Church. He had heard these commonplaces in favor of the Inquisition so often that his eyes closed in slumber while the old Carmelite was in the midst of his harangue. But if he stopped speaking the pope, who had been lulled by the monotonous sound was awakened by the silence, and asked him to go on.¹⁶ At length, unable to resist sleepiness, Paul III arose and began to walk up and down the room. The zeal of the prelate redoubled. Faria was present, and it is possible that he also made an effort to stir up the sleepy spirit of the tired old pontiff. Finally he dismissed them with courteous expressions and vague promises about the Inquisition, requesting the bishop to repeat to the cardinals, his grandsons, what he had just told him about the reformation of the clergy, and assuring him

¹⁴ Letter of Dom Friar B. Limpo, *loc. cit.*

¹⁵ *Ibid.*

¹⁶ "And as he dozed I stopped speaking, and he again asked me to go on."—*Ibid.*

that he might return to Bologna trusting to his solicitude for the welfare of the universal Church.¹⁷

But neither the prelate of Porto nor Balthasar de Faria was a man to be lulled to sleep by vain words. The bishop was not long in discovering that, through the influence of Cardinal De Crescentiis, the pope wanted to maintain in large part what he had decided in regard to the Portuguese Jews, possibly because the last information received from the nuncio led him to hope that the king would submit to those resolutions. But they had concealed from Faria the purpose of the pope, which showed that the insinuation made to him that they would prefer to negotiate through the nuncio unless he ceased his insistence was not a mere wile. Dom Friar Balthasar went to the Vatican again. He demanded of the pontiff an exact settlement of the matter, and without it he would not return to Bologna. The language of the Carmelite was so positive that Paul III had to give a clear and definite reply. He was determined, he said, to concede whatever the king wanted, if he would not refuse the New-Christians liberty to leave the kingdom, limited only by the promise that they would not go to infidel countries, and for this they were to give guarantees. The anger of the prelate then led him to use language that certainly was no sin on account of its softness. That condition about giving guarantees when they wanted to leave the kingdom was a fraud. "What difference does it make," said he, "whether they go to infidel countries or to Italy? They come to be circumcised at Ancona, at Ferrara, or at Venice, and from there they go on to Turkey. They have the pontifical privilege of not being asked whether they are Jews; they bear no outward signs that distinguish them, and they openly worship in their synagogues." He told of what a large number of them frequented the synagogues, some of them after they had been baptized in Portugal in infancy, while others had been condemned to death and burned in effigy for following Judaism. With such liberty as it was proposed to give them, all Portuguese New-Christians might be Jews as much as they liked, without a single one of them putting foot on infidel soil. But never would the king accept such a situation; nor was there a theologian, or even a simple Christian, who would advise him to do so. Instead of trying to save the Portuguese Jews, the pope ought to multiply the Inquisition in his states, and punish not only the Lutheran heretics that infested them, but also those guilty of Judaism who had escaped into Italy.¹⁸

It is probable that in his discourse the intolerant prelate let escape some reference to the price paid by the king for the favors he was demanding of the pope. In any case, in replying to the bishop the pope

¹⁷ *Op. cit.*

¹⁸ *Ibid.*

confessed the favors he had lately received from the monarch in the form of the salaries granted to Farnese and to Santafore, who was, in fact, filling the lucrative position of protector of Portugal; but he confined himself to telling him to arrange the business with De Crescentiis, giving him to understand that everything would be done as he requested.

In fact, with the co-operation of Farnese and Balthasar de Faria, the bishop succeeded in getting Cardinal De Crescentiis to yield in the capital question of the free escape of the New-Christians. If we may believe Faria, the prelate of Porto then seemed disposed to admit that, with this point settled, crimes of heresy might be tried under the rules of common law, and not in conformity with the style and special formulas of the Inquisition. His ignorance of juridical matters, whereof he had, as inquisitor, given so many proofs, did not enable him to perceive the consequences of such a concession. It was the opinion of the ordinary agent that this would amount to the renewal of all previous debates. Dom Friar Balthasar was convinced, and they both continued to maintain their absolute claims. The insistence of the two finally won, and all of the limitations to the ample exercise of the power granted the inquisitors were suppressed one after another. They would have full authority to arrest New-Christians as soon as they were pardoned, and to try them according to the absurd system of the tribunals of faith, while civil authority might put any obstacles in the way of their leaving the kingdom, thus turning the bull of pardon into a delusive favor. The only restrictions to be maintained consisted in the suspension of confiscations for ten years more, and the provision that for the space of one year defendants for capital crime should not be turned over to the secular branch. These two concessions, however, were the ones the king had spontaneously agreed to among those suggested to him in the report of the four converts.¹⁹

From the letters of the bishop of Porto and of the ordinary agent it is seen that they both claimed the chief glory for the happy outcome of this spiny and much disputed business, but without failing mutually to praise each other's zeal. The truth is that, though long experience and his legal qualifications made Balthasar de Faria a more skilful negotiator, the impetuous temper and the fanatical austerity and the special situation of the aged Carmelite were the things that at once broke through the network of Roman intrigues. In the uncertain state in which the matters of the council were, what the pope especially did not want was that Dom Friar Balthasar should go back to Bologna ill-pleased with him.²⁰ This

¹⁹ Letter of B. de Faria to the king, November 17, 1547, *loc. cit.*;—Letter of Dom. Fr. B. Limpo, *cit.*

²⁰ "And because I told him that I wanted to go, and they greatly desired that I should go to the council, Cardinal Crescencio said to me, 'the pope does not want you to leave here discontent'.—*Ibid.*

obliged him to yield to his lively, or rather to his rude, insistence concerning the Portuguese Inquisition. But above this was a matter of more serious import. The bishop, who seems to have confined himself in his debates with the pope to indirect references to the price the king had paid for the concessions he asked, was a little more explicit with Cardinal De Crescentiis and with Chevalier Ugolino, leading them to perceive that the business of Farnese would never be definitely concluded so long as the subject of the Inquisition was not also settled. There was no arm in the entire arsenal of Roman subtleties with which to meet such a peremptory argument as that.²¹

Thus the last glimmer of hope for the unhappy Jews sank below the horizon. In announcing to the king the early departure of Ugolino and the happy solution of the business, Faria artfully suggested the advantage of moderation. He pointed out the little value of certain details of the bull of pardon to which great importance was attached in Lisbon, and concerning which puerile recommendations had been made to him: perhaps they were the non-authorization of the inquisitors to impose spiritual penances on those who were pardoned by the bull, the exemption of the relapsed from being delivered, for that time, to the secular arm, and the failure to order those who were strongly suspected to abjure, or to compel any other persons who might want to take advantage of the general pardon to make secret reconciliations. This was all of very little importance in view of the fact that, whether relapsed or not relapsed, tried or not tried, suspected or unsuspected, they were all, as soon as the empty ceremony of pardon was gone through with, subject to the unlimited authority of the inquisitors, without appeal, without guarantees, and without any hope whatever of being able to escape the jurisdiction of the tribunal of faith by obtaining apostolic judges. The battle was completely won as soon as it had been decided that the victims could not leave the kingdom, and that the executioners might exercise their trade freely, fully, and immediately. The agent reminded the king of the inconveniences that might arise from insisting upon matters of trifling importance and upon vain subtleties, when all that was essential had been amply obtained, without excepting the removal of the nuncio, Montepulciano, who had been partial to the New-Christians and whom the pope promised to replace.²²

²¹ "At times I gave Cardinal Crescencio and Chevalier Ugolino, servant of Farnese, to understand that it looks as if no one could finish the affairs of Cardinal Farnese in the business of Vizeu, so long as there remain unfinished those of the Inquisition which belong to God and the king, our master; and that whoever goes there without their having been finished was going to spend money and time in vain."—*Ibid.*

²² Letter of B. de Faria, November 17, *loc. cit.*

When Dom Friar Balthasar left for Bologna, Chevalier Giovanni Ugolino left Rome for Lisbon about the end of November,²³ with the final bull of the Inquisition and other documents relating to it. He also brought authorizations to agree upon a practical method of transferring the revenues of the bishopric of Vizeu and other benefices of Dom Miguel da Silva to the former protector of that unfortunate prelate. Before leaving, Giovanni Ugolino received from the cardinal minister full instructions in regard to both of these subjects. The pontifical documents relating to the business of the New-Christians were divided into two categories: one consisting of those favorable, or rather those which pretended to be favorable to them; the other one consisting of those relating to the final establishment of the tribunal of faith. The first ones, besides the bull of pardon, were a brief excepting condemned criminals from confiscations for ten years, another suspending for one year the delivery of persons charged with capital crime to the secular courts, and finally one directing the king to interpose his paternal solicitude to the end that the Inquisition be conducted with gentleness.²⁴ An explanation was given in the instructions, however, of the altogether too broad interpretation that the pope wished to have given to his vague recommendations of benevolence. Both the commissioner and the nuncio were to urge the king to accept this interpretation. Though in an advisory form, it was almost the same as the one previously asked in a mandatory form. The pope was extremely anxious that during the first year persons charged with secret crimes should not be arrested. In this way his conscience would be relieved of remorse for having subjected the Hebrew race to all the rigors of the Inquisition, while the king would gain great material advantages from this unexpected indulgence. The pope also desired that for some time the inquisitors should not make full use of the powers granted them by the new bull, or more specifically, that in cases of crimes of heresy they should proceed as provided in the bull of 1536 in accordance with the rules governing civil trials for ordinary crimes. In the bull of pardon

²³ Three letters of Margaret of Austria and of Cardinals Farnese and Santafiore, to the queen, Donna Catharina, brought by Ugolino (Collection of Sr. Moreira, Quad. 8) are dated November 24 and 26.

²⁴ Instruction by Chevalier Ugolino, *Symmicta Lusitana*, Vol. XXXIII, folios 140 *et seq.* There is a Portuguese version of these instructions in Drawer 2, M. 3, No. 41, in the National Archives. It is strange that of all these documents the only one found in the vast collection of bulls and briefs of the Torre do Tombo is the last, addressed to the king. (Brief *Licet nos*, of November 15, 1547, in M. 7 of Bulls No. 3). It was certainly of the greatest importance to the New-Christians to hasten the delivery of those documents, and it is evident from the *Instruction* that Ugolino was bringing an order to deliver them to the chiefs of the nation; but it is incredible that they were not also transmitted to the king. Who knows whether their absence is to be attributed to some mysterious iniquity as yet unexplained?

it was provided that persons convicted or pleading guilty should publicly abjure, and yet His Holiness wanted them to abjure only before a notary and a few witnesses rather than to make a spectacle to the people on the scaffold.²⁵ The documents relating to the tribunal of faith were the new organic bull, another by which all exemptions were annulled and suppressed, and a brief addressed to the king that was to serve as a confirmatory letter for Chevalier Ugolino. All of these documents were antedated, for what reason we do not know.²⁶ In the organic bull which was to replace that of May 23, 1536, after a preamble epitomizing the history of the phases through which the Portuguese Inquisition had passed since its first foundation, reference was made to the general pardon which had just been granted to all those thus far charged with the crime of heresy. After this manifestation of indulgence, the pope was determined to proceed with severity. To this end, abrogating the bull of 1536, he withdrew all powers conferred by it or derived from it, bestowing them anew upon the cardinal infante, Dom Henrique, and on the inquisitors who were his delegates. He suppressed all the modifications and limitations thus far imposed upon the Inquisition in Portugal, and suppressed, without exception, the authority granted to any apostolic delegate to take cognizance of any dereliction against religion. The Inquisition thus constituted would proceed in conformity with the jurisprudence that generally regulated that institution, and the inquisitors would avail themselves fully of the jurisdiction, precedence, and prerogatives which by law, usage, and custom belonged to persons clothed with such dignity, continuing and finishing all trials for heresy without excepting even those appealed to the pontifical curia. He concluded by declaring null and void everything that might conflict with the most ample provisions of that bull.²⁷ And yet the pope himself had limited it in another bull, which it was pretended antedated this one, intended for the express purpose of revoking the briefs of exemption, both individual and general, drawn in favor of the Hebrew race, but in which were declared exempt from the jurisdiction of the Holy Office the attorneys and agents of the New-Christians who were or had been in Rome attending to ordinary business, and persons belonging to the families of these same attorneys and agents.²⁸

²⁵ *Instruzione*, *ibid.*

²⁶ The organic bull beginning *Meditatio cordis* is dated July 17, 1547 (M. 9 of Bulls, Nos. 11 and 16, in the National Archives); the bull *Romanus Pontifex*, in which the exemptions are revoked, is dated the fifteenth of the same month (M. 7 of Bulls, No. 21); and finally the brief *Cum sæpius*, announcing to the king the dispatch of the bull *Meditatio cordis*, is dated July 5 (M. 7 of Bulls No. 6).

²⁷ Bull *Meditatio cordis*, *loc. cit.*

²⁸ Bull *Romanus Pontifex*, *loc. cit.*

In the brief addressed to the king announcing the dispatching of the preceding bulls, and which was to serve as a confirmatory letter for Chevalier Ugolino, their contents are résumé, the pope there manifesting his desires and hopes that the Inquisition, now clothed with such unlimited powers, would proceed with the greatest moderation. But this brief was, at the same time, but a sad manifestation of shamelessness. It dwelt especially upon the question of the revenues of the diocese of Vizeu, and the benefices of which Dom Migüel da Silva had been robbed. As we have said, Giovanni Ugolino had come authorized to put that ignoble agreement into effect, and there was not even enough shame about it to have it announced in a separate document. In the opinion of the members of the sacred college, the inquisitors wanted human flesh; the curia was furnishing it for them; but in the letter of advice the purchasers were notified that they must pay cash for the goods.²⁹

But, to be just, it must be confessed that, if Rome carried commercial precautions to such a point, she also displayed the instincts of that honest generosity which is a part of the merchant's capital. In the instructions to Ugolino, Farnese forbade him and the nuncio and any agent of the nunciature to receive anything whatever, either as a gift or under any other name, from the poor New-Christians.³⁰ As if the bull of pardon were something more than a trick, the grandson of Paul III notified the pontifical agent that his grandfather did not wish that, for that act of mercy, the smallest fraction should be accepted at Rome from those interested, while under other circumstances, such a favor would have brought quite twenty thousand ducats to the common father of the faithful.³¹

The struggle was ended. The Inquisition, in the fulness of its terrible power, was at last about to appear upon a throne of dead bodies surrounded by the instruments of martyrdom. To use the picturesque language of the very men who had provided this repugnant food, it could now have its fill of human flesh. The arrival of Ugolino at Lisbon and the publication of the dispatches he bore were the apotheosis of intolerance. And still Dom João III and his monkish court were not yet entirely satisfied. Notifying his agent at Rome of the arrival of the pontifical commissioner, the king stated that he had accepted the last resolutions of the pope without reserve; but he notified him that if it

²⁹ Brief *Cum sæpius*, *loc. cit.*

³⁰ "Thus for yourself when you shall be there, neither you nor the nuncio nor his ministers ought to accept a penny offered you in any way whatsoever."—*Istruzione*, *loc. cit.*

³¹ Giving warning above all that just as through absolution the aforesaid forgivenesses, from which His Holiness at other times would have been able to gain 20,000 ducats, he has here prohibited expressly that a penny be removed."—*Ibid.*

were not for his desire to put an end to such a long contest, there would still be something to say regarding the pardon, though it was the pontiff, and not he, who would have to give an account to God for the excessive indulgence with which New-Christians were being treated. So the monarch still deplored this temporary relief granted his Hebrew subjects, which amounted almost solely to exemption for one year from being turned over to the secular courts, and for those who were sentenced for Judaism within that period from being burned to death.³² But of the things that were insinuated by the pope, not as commands, but as advice, not one was admitted. Upon only one point was a slight modification accepted. The abjuration of the defendants who were to be set free, which the pope wished to have made without noise and only in the presence of a notary and a few witnesses, would be made at the door of the Hospital Church, which was located in front of the most frequented square in Lisbon, instead of on a public scaffold built expressly for the purpose. The royal indulgence thus amounted to saving the expense of building a platform.³³

On the part of the court of Rome, the contract regarding the blood of the unfortunate Jews was honorably carried out. It only remained to receive payment. The merchandise was excellent, however much the king might decry it. The fault found with it was merely the usual disdain of the buyer. Rome knew very well what she had sold. Chevalier Ugolino brought all the bulls, briefs, instructions, and powers necessary to liquidate the business of the bishopric of Vizeu and of the other benefits belonging to Dom Miguel da Silva. In compliance with his previous declaration, the pope did not cede to the king the smallest fraction of the arrears of revenues; it all had to go to Rome, except what might be necessary for repairs of the cathedral of Vizeu. As for his willingness to satisfy the desires of the king, the supreme pastor had shown it to excess, even to the extent of trampling under foot church laws and by treating the see of Vizeu as vacant "in a certain sense," though the legitimate prelate had not resigned or been deposed, and even without his having been mentioned.³⁴ For him to sacrifice the laws of the church and at

³² "He rather preferred not to reply to that for which His Holiness must give an account to God, for that rests solely with him for delaying the service that Our Lord is doing with the Inquisition."—Draft of the letter of the king to B. de Faria, without date (first months of 1548), in Drawer 2, M. 1, No. 33, in the National Archives.

³³ *Ibid.*

³⁴ "*Dei quali . . .*"—"With reference to these (the bishopric and the benefices) provision has been made in my person as vacant in a *certain way*, without mentioning Cardinal da Silva or his resignation, only to please His Highness who has thus desired and wished it."—*Istruzione, loc. cit.*

the same time enormous sums did not seem presumption beyond measure. What was agreed upon was that the person who was to take the place of a foreign and absent prelate in the Portuguese diocese should be Portuguese, and paid out of the funds of the diocese, and at the death of Farnese, the benefices of Dom Miguel that went to him, should not be determined by appointment of the pope.³⁵

But the ministers of Dom João III still sought to save part of the large rents of the exiled bishop that had been accumulating all these years while they had been in sequestration. The bishop of Porto and Balthasar de Faria had been altogether too ready to give way to the pertinacity of the Roman curia in this matter, and the ordinary agent, who was so used to hard rebukes, was once more reprimanded for his unpardonable disposition to yield.³⁶ The debates on the subject with the attorney of Farnese lasted some months; but Ugolino, though sold beforehand to Dom João III³⁷ in everything relating to the Inquisition, was entirely trustworthy in matters that concerned the interests of his master. It is true that the arrears of revenue were to be used in the construction of St. Peter's; but the construction of St. Peter's, in the majority of cases, was nothing more than one of the many prettexts of religion or of credulity that Rome made use of to conceal its spoils and corruptions—spoils and corruptions which, in the opinion of Dom Friar Balthasar Limpo, formed an insurmountable barrier to any agreement with the Protestants. Moreover, the cardinal was chief priest of the church of St. Peter, and the all-powerful minister of his grandfather. That covered the whole case. So in Lisbon this question of the sequestered revenues was regarded as purely a matter of the private interests of Farnese.³⁸

At last Ugolino and Ricci reached a final adjustment with the king's ministers, not only regarding the disposal of the accumulated revenues, but also upon the future administration of the diocese whose nominal prelate now was the grandson of Paul III. The choice of the person who was to govern the bishopric in his name was to be left to the king, and one thousand and five hundred *cruzados* were to be deducted from the rents of the diocese for his support and for that of his officials. All other

³⁵ *Ibid.*, and letter of B. de Faria of November 17, *loc. cit.* Brief of July 15 in M. 7 of Bulls No. 5, in the National Archives.

³⁶ Draft of the letter to B. de Faria in Drawer 2, M. 2, No. 33.

³⁷ On this subject see the letters of the bishop of Porto and of Balthasar de Faria of November 17 and 22, already cited.

³⁸ "And as for the sequestered funds, it was agreed that, after deducting expenses, out of what remained Your Highness should have a fourth part to be expended in pious works, and that Farnese should have the three parts."—Instructions or Memoirs in the Collection of S. Vicente, Vol. III, folio 141, in the National Archives.

receipts, whatever they might be, were to be given to the cardinal-minister. The canonries, livings, and curacies, which were in the prelate's gift, were to be conferred by him only upon Portuguese, but he could confer moderate pensions upon these livings to be paid to his domestics and servants. Future repairs of the episcopal palaces were to be a charge against Farnese, and those needed at the time were to be paid for out of the revenues in hand. The commandaries of the monasteries of Cancto Thyrso, Nandim, and S. Pedro das Aguias, that had belonged to Dom Miguel da Silva, and also the right of presentation of the churches, the patronage of which pertained to the commanding abbots of those monasteries, were all to pass to Cardinal Farnese, on condition that the appointments were to go to Portuguese, but with the reservation of pensions for the protégées of the cardinal. From the incomes and sequestered revenue were to be paid the debts legally contracted by Dom Miguel da Silva, that is, contracted before he was banished. The fourth of the remainder, after a further deduction from this fourth part of two thousand and five hundred *cruzados* for Farnese, was to be left in the hands of the king to pay for the repairs and construction of the cathedral of Vizeu and for other necessary uses. Finally the nuncio and the bishop of Angra were appointed to look into the state of the sequestration, and to decide questions in regard to the active and passive debts of the diocese, and to agree upon economic questions which were otherwise entrusted to the material agency of the banker, Lucas Geraldo.³⁹

Thus the Inquisition was bought and paid for. The concession was complete: don't wonder that it was dear. We do not know to a certainty what the revenues of the diocese of Vizeu were at that time; but we do know that, during these years, while treating of the creation of new sees in various places, such as Miranda, Leira, Freixo, Portalegre, Vianna, Covilhã, and Abrantes, some of which were really formed, in the calculations that were made to fix the endowments of those dioceses, an effort was made always to reach and even to exceed the sum of from four to five thousand *cruzados*. We also know that about that time the archbishopric of Braga and the bishopric of Coimbra each yielded more than six thousand *milreis*, while that of Guarda exceeded six thousand *cruzados*.⁴⁰ It would be no exaggeration to suppose that the diocese of Vizeu

³⁹ There are three original documents on this subject in the Collection of Sr. Moreira (Quad. 9 in the middle). There are two agreements signed by Ugolino and by Montepulciano on March 24, 1549, containing what is given in this paragraph, and a statement by Lucas Geraldo in which he agrees to pay the legal debts of Dom Miguel and the part that was to be placed at the disposal of the king.

⁴⁰ These figures are derived from a calculation of the pensions that various bishoprics paid in 1544 (Collection of Sr. Moreira, Quad. 16, at the end), and from another calculation made to establish suitable incomes for the new bishoprics that

was no poorer than that of Guarda. The monasteries of Santo Thyrsó, of Nandim, and of S. Pedro das Aguias were wealthy, and it is not probable that the managements of the three monasteries yielded but little for the abbot *in commendam*, who also had paying benefices in his gift, as patron of many parishes. We are therefore probably well within the truth if we place the annual income from all that Dom Miguel da Silva was deprived of at eight thousand *cruzados*, and consequently the total amount sequestered at fifty thousand *cruzados*. Deducting the fourth part, less two thousand and five hundred *cruzados* for pious works, there remained for Farnese forty thousand *cruzados*.

Some years later negotiations were begun to do away with that kind of nominal episcopate of the grandson of Paul III, and to have the appointment made to the bishopric in the usual way; but it is obvious that in these negotiations, which we shall not attempt to describe here, the cardinal-minister would yield everything except the material revenues that came to him of an unquestionable right. These revenues might be substituted, but not denied. Thus one of the elements necessary, not to calculate precisely, but simply to obtain a general idea of what the Inquisition cost Portugal, is to find approximately the amount received by Alexander Farnese. He lived more than forty years after 1548, and though we have no direct proofs that he continued to receive more than the income from the diocese of Vizeu or its equivalent, neither have we proofs to the contrary, and it is more likely that the Portuguese government would respect the rights of a man in a position to make them respected. On this hypothesis, which is the only plausible one, we obtain a sum of more than three hundred and twenty thousand *cruzados*. It is true that Farnese was to leave one thousand five hundred annually for the administration of the diocese; but this was more than compensated by the right to impose pensions on the prebends, benefices, and curateships within his appointment for the benefit of his own dependants.

The salary of three thousand and two hundred *cruzados* a year that Farnese received from the proceeds of the dioceses of Braga and Coimbra continued in force along with the newly acquired benefices.⁴¹ As it lasted during the many years that the cardinal still lived, that pension represents a sum of more than one hundred and twenty thousand *cruzados*.

were contemplated in 1548, and some of which were really formed (same collection, Quad. 5, 13, and 14, *passim*); and finally from papers relating to the erection of Miranda and Leiria, and administration of Braga, Coimbra, etc. (same collection, Quad. 18).

⁴¹ This is clearly shown in the draft of the instructions given Balthasar de Faria in 1548 to request provisions for various bishoprics, annexations, commanderies, and transfers of various monasteries, determination or creation of pensions, etc., in the Collection of Sr. Moreira, Quad. 71.

For the final establishment of the Inquisition, the grandson of Paul III alone, therefore, received in cash and securities for its continued payment, close to half a million *cruzados*.

This business was transacted within a rather short period, and paid for by the winner in the contest. But who can tell today what Sinigaglia and Capodiferro had previously shared with the cardinal-minister, and what the latter had received, not only from the agents of the king, but also and principally from the attorneys of the New-Christians? A calculation of the amounts of these shady transactions today would be impossible.

The difference in the value of money between the first half of the sixteenth century and the first half of the nineteenth is as six to one. Thus, if we take into account the gradual decline in value of the precious metals in the second half of the sixteenth century during which part of this money went to Rome in small amounts, the half million *cruzados* would today amount to more than two and a half millions of our present money.⁴²

That is what the victory of intolerance cost, merely to bribe one man, though, on account of his position, the most important one in the Roman curia. But what no calculation can include, what the imagination can only vaguely realize, is the total amount that Roman cunning was able to extract from the pockets of the New-Christians during a period of more than twenty years, and that, too, at a time when a fanatical mob, led by the king, the hierarchical clergy, and the friars, were wrought to a pitch of fury against a large part of the wealthiest, most laborious, and most peaceful citizens, whose only defense was the protection, so often ineffective, which Rome sold them so dearly, and which it could deny them with plausibility whenever fanaticism and hypocrisy paid more. But however great the sacrifices of the New-Christians, those of the king were greater. Nothing could compare with the establishment of life pensions conceded to the cardinals and ministers of the curia whom it was not easy to corrupt effec-

⁴² Economists calculate the difference in value of silver, which was the money in general use, between the two epochs as one to six. That of gold is somewhat less. The basis adopted for these estimates is the price of cereals. When famine was threatening Portugal in 1545 and Simão da Veiga was sent to Sicily to buy wheat, the maximum price fixed for it, delivered in Lisbon, was 160 *reis* an *alqueire*. Today 960, six times as much, would be high, but not excessive under similar circumstances. The papers relating to this mission of Simão da Veiga are in the Collection of Sr. Moreira, Quad. 2. [The ancient *alqueire* used for measuring wheat as fixed by the council of Lisbon, was 13.8 liters or 1.566 pecks. It is now usually defined as 36.27 liters, a little more than 1.029 bushels. Evidently the author refers to the ancient measure. The prices of wheat at the two periods would have been approximately 40 cents a bushel at the earlier date and \$2.40 a bushel at the later one.—*Tr.*]

tively and permanently by the use of limited bribes. Of the individuals whom we have seen in the course of this narrative serving the cause of the Inquisition in the Roman curia, with more or less zeal, probably not one of them was doing it for nothing. The celebrated Santiquatro received from the bishopric of Lamego alone a pension of one thousand and five hundred *cruzados*, which would be equivalent to nine thousand today. At the death of the zealous protector of Portugal, a third of that went to a nephew of his. That of Pier Domenico, from the revenues of the monastery of Travanca, was more modest, for it did not exceed sixty *milreis*, possibly because those revenues were charged with another pension of one hundred *milreis* destined to a member of the sacred college less influential than Santiquatro. Even after the business of the Inquisition was terminated, the king gave to Cardinal De Crescentiis a thousand *cruzados* a year from the benefices of the monasteries of Tarouca and Ceissa. At times the person receiving a pension even had the right to transmit a part of it to a third person. Such was the case with Cardinal Farnese, who, out of the three thousand and two hundred *cruzados* from the revenues of the dioceses of Braga and Coimbra, could make a gift of two hundred to any one he wished.⁴³ In this way the economic resources of the kingdom, weakened day by day by the expatriation or extermination of the New-Christians, were further depleted by three vast sacrifices of a part of the income from the land which were sent to be consumed, unproductively, away from the country.

What had become of Dom Miguel da Silva since the defeat of his cause and of the cause of the Portuguese Jews, which force of circumstances had made a common one? It is a question the reader will doubtless ask. His position was a cruel one. But the prelate should have had pride enough to endure it bravely. Such a course was demanded of him by the honor of his race, by his enlightened intelligence, the near prospect of the tomb, and the reflection that for six years he had kept up a hand-to-hand struggle with the implacable son of Dom Manuel, and had passed unscathed through attacks of every kind, from perfidious insinuations to an attempted assassination, and by the fact that, finally, he had fallen a victim of the most ignoble transaction that men can conceive and carry out. Moral energy and dignity in extreme misfortune would have entitled him to sympathy, if not useful, yet of an honorable kind, while the spectacle of his poverty, contrasted with the opulence of Farnese, would have been the judgment and punishment of the latter and of the pope, in the tribunal of all upright consciences.

⁴³ These and other facts of the same kind are incidentally revealed in the instructions to Balthasar de Faria regarding the administration and erection of various bishoprics and annexations of monasteries in 1548, already cited.

It did not turn out that way. Dom Miguel was a man of his times. The courts of Lisbon and of Rome, which he had frequented from his youth, had educated him in the usual way. Ambition, vanity, and hate had lent him the mask of stately pride. When hope died, the mask fell away, and he stood forth one more Job of the moral world, loathsome, not of body but of soul, such as made up the great majority of the public men of those times. We have already seen elsewhere to what straits the exiled prelate had come on account of the difficulty of receiving pecuniary aid from Portugal. The means furnished by the New-Christians diminished in proportion as Dom Miguel's influence diminished. He had reached such a state that Balthasar de Faria himself considered him more worthy of compassion than of malevolence. With brutal affability the king's agent observed, at the conclusion of the purchase of the Inquisition at his expense, that the pope and his grandson, after having flayed him, cared as little for the future lot of the poor cardinal as if he had never existed.⁴⁴ After he had lost all hope of recovering his former revenues, the last servants he had brought from Portugal left him. Trouble had added to the weight of years, and old age and a painful illness, the gout, afflicted the proud prelate. His last days were passed in pain and in tears.⁴⁵

This situation would perhaps have suggested the criminal thought of suicide to persons of a different temperament. But it seems that the former bishop of Vizeu still believed he saw on the horizon the possibility of dispelling from the heart of a devout king the poison that had there accumulated against him for years. So credulous is man in the lowest depths of misfortune! From the New-Christians there was nothing to fear or to hope; the people of the *nation* were like a few scattered cattle which the servants of the inquisitors were gradually driving into the slaughterhouse, from there to supply the shambles with the human flesh that hypocrisy had undertaken to deliver up to intolerance. The aged prelate did to the Jews what Farnese had done to him. The difference was that the cardinal minister had sold him at a high price that had been paid in good money, while he sold those he had protected so many years for a vain hope. Had he withdrawn from the struggle, it would have been understood; his influence with those who had robbed him to enrich themselves could not be very great, and, even if it were, there was now no influence capable of putting obstacles in the way of the complete triumph of the Inquisition; but it is

⁴⁴ "After skinning him they care no more about him than if he had never been born."—Letter of B. de Faria, of November 17, 1547, *loc. cit.*

⁴⁵ "Finding himself thrown out of here (the curia), and in disgrace with Your Highness, persons who know tell me that he weeps like a child when he speaks of Portugal: he is lean, aged, and with the gout that already extends to his shoulders."—*Ibid.*

revolting to see the proud prelate join his insignificant forces to those of the bishop of Porto and of Balthasar de Faria to hasten the climax of the drama at once shameful and horrible. In their last letters to the king they mention in more than one place the services of Dom Miguel with expressions of insulting compassion, expressions which make it evident that they were afraid of displeasing the revengeful monarch by these sad eulogies of a man whom he had sworn to ruin. As courageous dignity in misfortune is the highest manifestation of the moral superiority of man, so is abjection in the presence of the author of that misfortune the most repulsive figure of self-abasement. Such was the course of Dom Miguel da Silva at that juncture. He did not conceal his wish to approach the bishop of Porto, but the bishop of Porto avoided the very touch of the pestilential politician. Though bold with the pope, and chiding him on account of the corruption of the church, the prelate of Porto did not care to do anything that would call for the low revenge of Dom João III, for the consequences of the displeasure of the king might be more serious than those of the displeasure of the pope. The fanatic did not forget that he was a courtier.⁴⁶ Meantime in the disputes between Cardinal De Crescentiis and Dom Friar Balthasar, or in the debates of the latter with Paul III, Dom Miguel, if he happened to be present, took the side of the attorneys for the Inquisition with the same ardor with which he had previously opposed them, and, not content with that, he used the remnant of influence he still had to hasten the prompt conclusion of the business.⁴⁷ In the opinion of Faria, it was not so much the hope of rehabilitating himself that led him to take this course as it was to gain a respite from the incessant persecution with which the monarch pursued him.⁴⁸ In that case, this last piece of base conduct must have been inspired by excessive cowardice.

Such was the outcome of this struggle of more than twenty years, the phases and shifting fortunes of which we have tried to narrate. As we have said elsewhere, the Jewish families, who could not escape from the intolerable situation by fleeing from Portugal, still, in the course of time, lifted their hands more than once in supplication to the supreme pastor, and poured their gold into that den of Roman corruption; more than once again did they succeed in awakening or buying the compassion and favor of the papal court; but the results were far from corresponding to their efforts and their sacrifices. By such means an individual might now and

⁴⁶ "As it seemed to me that Dom Miguel da Silva wanted to talk to me, I have kept away from every place where we might meet."—Letter of Dom Friar B. Limpo to the king, November 22, *loc. cit.*

⁴⁷ *Ibid.*

⁴⁸ "Now that there is no hope of reconciliation with Your Highness, he hopes in this way at least to bear up and to show honor, so that they may not worry him more."—Letter of B. de Faria of November 17, *loc. cit.*

then save himself, or that impetuous torrent of intolerance might be stemmed for a few months; but the edifice of the Inquisition became more and more solid, and the terror and silence in which it enveloped itself more and more profound. Although at times the struggle might appear to be revived, nothing of the kind really happened after 1548. Such movements were merely, as we have observed, the more or less violent convulsions of the victims. The following narrative will give us some idea of the black history of the tribunal of faith in 1561 after its final organization.

Twelve years had passed, and the nuncio in Portugal was Prospero Santa-Croce, bishop of Chisamo. Dom João III had died, and the queen Donna Catharina was ruling the country during the minority of Dom Sebastião. The infante, Dom Henrique, continued to preside over the dreadful tribunal. There was no love lost between the queen and her brother-in-law; but they were in perfect agreement in regard to matters of intolerance; they both belonged to their own age. The court of Rome was in the greatest harmony with that of Lisbon, and the nuncio had been instructed to co-operate in every way with the purposes of the inquisitor-general. The New-Christians who had not succeeded in leaving the country could hardly look for efficacious favor from the curia, not only on account of the existing accord, but also because secret emigration had naturally taken many of the richest and most daring of them into distant lands. But at times an excess of suffering wrests useless groans from even the most patient. The people of the *nation*, whose misfortunes had increased, once more lifted their voices before the pontifical throne, then occupied by the harsh Pius IV. In their petition they pointed out the principal tyrannies from which they were suffering; they were arrested without sufficient evidence, they were confined in prisons years and years without trial, and they continued to be burned without mercy, in spite of the fact that they perished in the flames as true Christians, calling upon the name of Jesus. The bishop of Chisamo was then directed to make inquiry as to how far such abuses existed. Reply was made that in reality New-Christians were not only arrested but also tortured without sufficient proofs. There was one man of high literary reputation who had distinguished himself for this kind of violence—the celebrated Oleastro, or Friar Jeronymo da Azambuja,⁴⁹ who, as an inquisitor, disputed the palm for cruelty with João de Mello. His excesses had been such that the infante was obliged to remove him. Dom Henrique himself confessed to the nuncio that Oleastro had passed all bounds of moderation. And no less true was what they said of the barbarous system of leaving a large number of persons, forgotten

⁴⁹ After his return from the Council of Trent, Oleastro was appointed inquisitor of Evora in 1552, and was transferred to the Inquisition of Lisbon in 1555. —Sousa, *De Origine Inquisitionis*, pp. 20 and 24.

even in connection with tortures and death, to rot in dungeons. The inquisitors started with the idea that all persons arrested were Christians only in name, and that it therefore made but little difference whether they had imposed upon them the penalty of long and trying captivity before they were shown to be guilty of the crime of heresy. Finally the bishop of Chisamo agreed that many of the persons burned as convicted Jews had died embracing the Cross, giving every evidence of sincere Christianity; but he observed that, notwithstanding this, it was necessary to continue burning those who were sentenced; for if such demonstrations could save them at that terrible hour, all the real heretics would use that expedient, and no one would be punished. It was the opinion of the bishop of Chisamo that this matter should not be interfered with, or, at most, that it might be hinted in some gentle way to the cardinal-inquisitor and to the civil powers that it might not perhaps be politic to drive those unfortunates to the point of desperation, especially as the rigors past and present had shown that cruelty did not furnish any very efficacious means of conversion.⁵⁰

Such were the most important facts the nuncio had verified, such was the unexpected estimate he placed upon them; such were the ideas of justice in those times. The history of the Portuguese Inquisition may be summed up in these three principal facts, which are the complete expression of the tendencies and of the spirit of the most atrocious, most anti-Christian institution that human wickedness could invent: arbitrary arrest; long imprisonment without trial; and the promiscuous burning of both Christians and Jews for the honor of the Inquisition and the glory of God. That is what had been done before 1547; that is what was done afterward. The special scandals now and then, the robberies, the forgeries, the brazen lies, the breaking down of established customs, rank hypocrisy, secret practices of barbarism, and public hecatombs of human victims—such things were to have been expected. In view of the documents relating to later times, what might be written of the tribunal of faith would be nothing more than the reproduction of the repugnant scenes that we have outlined, the uninterrupted continuation of which is shown by the unquestionable testimony of the bishop of Chisamo. A repetition of all this might be food for curiosity, but hardly a study for intellectual enlightenment. The phases of the struggle between the supporters of the Inquisition and their victims during those first twenty years, the climax of that struggle, the spectacle of the moral gangrene that had invaded church and state—these matters hold valuable lessons for the present and for the future. The co-ordination and

⁵⁰ Negotiations of Monsignor Prospero Santa-Croce, Bishop of Chisamo, in Spain and Portugal, Letter to Cardinal Borromeo, May 23, 1561; General Collection of documents from Rome, Vol. II, folio 372, in the Ajuda Library.

exposition of these serious lessons was the purpose of this book; we trust we have accomplished that purpose. We endeavored to let the documents speak rather than to speak ourselves; we trust we have done this also. In the comments demanded by the subject, either for the sake of clearness of the narrative, or for the sequence of events, we have sought to be just to the oppressors, and not to allow ourselves to be prejudiced by the sufferings of the oppressed. The unworthiness of the latter in their misfortunes has armed us against the weakness of compassion: the extreme moral repulsiveness of the oppressors has often been tempered for us by the loathing they inspired. Now and then, indeed, the sight of supreme human depravity, has hushed the tranquil voice of historical reasoning and compelled us to cry aloud in order to give expression to the involuntary repugnance of an offended conscience. But this fault, if fault it be, can never be entirely avoided by the historian who retains the feelings of a man and who has to study, in the light of documents that are infinitely more sincere than the annalists, one or several periods of the history of the sixteenth century, of that corrupt and cruel century, of which even today, absolutism, ignorant of its own past, dares to boast, and which, having as an inscription on its entrance the obscene name of Pope Alexander VI, and as an epitaph at its end the terrible name of Philip II, can in Portugal point to the name of an incompetent and malignant fanatic, Dom João III, as marking its middle course.

[THE END]

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